

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION**

Chicago Police Officer SHANNON SPALDING, )  
Chicago Police Officer DANIEL ECHEVERRIA, ) Case No. 12-cv-8777  
 )  
 Plaintiffs, ) Judge Gary Feinerman  
 ) Magistrate Judge Shelia Finnegan  
 v. )  
 )  
 CITY OF CHICAGO, *et al.*, )  
 )  
 Defendants. )

**EXHIBIT LIST FOR DEFENDANTS' REPLY TO PLAINTIFFS' LOCAL  
RULE 56.1(B)(3)(C) STATEMENT OF ADDITIONAL FACTS THAT  
REQUIRE DENIAL OF SUMMARY JUDGMENT**

**Exhibit A.** The Supplemental Declaration of James O'Grady ("O'Grady Decl.")

**Exhibit B.** The Supplemental Declaration of Nick Roti ("Roti Decl.")

**Exhibit C.** The Deposition of Coleen Dougan ("Dougan Dep.")

**Exhibit D.** The Declaration of Kevin Culhane ("Culhane Decl.")

# **EXHIBIT A**

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION

Chicago Police Officer SHANNON SPALDING, )  
Chicago Police Officer DANIEL ECHEVERRIA, ) Case No. 12-cv-8777  
 )  
 Plaintiffs, ) Judge Gary Feinerman  
 ) Magistrate Judge Shelia Finnegan  
 v. )  
 )  
 CITY OF CHICAGO, *et al.*, )  
 )  
 Defendants. )

**SUPPLEMENTAL DECLARATION OF JAMES O'GRADY**

I, James O'Grady, declare under penalty of perjury that this statement is true and correct.

1. I was employed with the Chicago Police Department ("CPD") from 1986 until 2013. In or about 1997, I applied for and was assigned to the Internal Affairs Division where I worked undercover on police impersonators and police corruption cases. After several years in various CPD positions, in or about August 2008 I became the Commander of the Narcotics Division, Bureau of Organized Crime. I stayed in that role until October of 2013, when I was assigned to Commander of 11th District. I retired from CPD in December 2013.

2. At some point in time after Plaintiffs Shannon Spalding ("Spalding") and Daniel Echeverria ("Echeverria") (collectively, "Plaintiffs") had been detailed out of the Narcotics Division and were no longer working at the Homan Square location where Narcotics was housed, I had a conversation with Anthony Hernandez ("Hernandez"), a Narcotics officer who was Spalding's boyfriend, about Spalding visiting Hernandez during his work time at Homan Square. During that conversation, I told Hernandez that he was not supposed to be visiting with his girlfriend while he's working, and is not supposed to leave his assigned post without his

supervisor's approval. Hernandez said that Spalding had been dropping something off to him, and admitted that he had left his post without his supervisor's approval.

3. I have reviewed the Affidavit of Anthony Hernandez ("Hernandez Affidavit") that was filed by Plaintiffs in this litigation, a copy of which is attached hereto as Exhibit 1. While I do not recall whether or not the conversation I had with Hernandez concerning Spalding being at the Homan Square facility was in July of 2011, everything else stated by Hernandez in paragraphs 3 through 9 of the Hernandez Affidavit is false. The alleged communications therein between Hernandez and me never occurred.

4. I know Beatrice Cuello ("Cuello"), who at one time was Deputy Superintendent of CPD. I also know James Jackson ("Jackson"), who at one time was First Deputy Superintendent of CPD.

5. At no time have I ever been part of any meeting with Cuello or Jackson where either Spalding or Echeverria was discussed in any manner, including whether or not Plaintiffs could return to the Narcotics Division or the Bureau of Organized Crime (Unit 189).

6. At no time have I ever had any conversation or other communication whatsoever with Cuello or Jackson regarding either Spalding or Echeverria, including whether or not Plaintiffs could return to the Narcotics Division or the Bureau of Organized Crime (Unit 189).



James O'Grady  
Executed on March 24, 2016

# **EXHIBIT B**

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION**

Chicago Police Officer SHANNON SPALDING,	)	
Chicago Police Officer DANIEL ECHEVERRIA,	)	Case No. 12-cv-8777
	)	
Plaintiffs,	)	Judge Gary Feinerman
	)	Magistrate Judge Shelia Finnegan
v.	)	
	)	
CITY OF CHICAGO, <i>et al.</i> ,	)	
	)	
Defendants.	)	

**SUPPLEMENTAL DECLARATION OF NICHOLAS ROTI**

I, Nicholas Roti, declare under penalty of perjury that this statement is true and correct.

1. I was employed with the Chicago Police Department (“CPD”) from June 1986 until March 2015. From in or about March 2008 to in or about August 2008, I was the Commander of the Narcotics Section of the Bureau of Organized Crime. From in or about August 2008 until in or about October 2008, I was the Deputy Chief of the Detective Division. In or about October 2008, I became the Deputy Chief of Organized Crime. In or about July 2010, I became the Chief of the Bureau of Organized Crime, and I remained in that position until I retired from CPD in March 2015.

2. I know Beatrice Cuello (“Cuello”), who at one time was Deputy Superintendent of CPD. I also know James Jackson (“Jackson”), who at one time was First Deputy Superintendent of CPD.

3. At no time have I ever been part of any meeting in which James O’Grady, Cuello and Jackson were all present where either Spalding or Echeverria was discussed in any manner, including whether or not Plaintiffs could return to the Narcotics Division or the Bureau of Organized Crime (Unit 189).

4. At no time have I ever had any conversation or other communication whatsoever with Cuello or Jackson in which anyone referred to either Spalding or Echeverria as "rats" or "IAD rats" or in which I indicated I was not allowing either Spalding or Echeverria to return to the Narcotics Division or the Bureau of Organized Crime (Unit 189) because Plaintiffs had worked with IAD or anything along those lines.



N. Roti

Nicholas Roti

Executed on March 24, 2016

# **EXHIBIT C**

Page 1

IN THE UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION

Chicago Police  
Officers SHANNON  
SPALDING and DANIEL  
ECHEVERRIA,

Plaintiffs,

vs.

No. 12 C 8777

CITY OF CHICAGO,  
Chicago Police Chief  
JUAN RIVERA, Chicago  
Police Chief DEBRA  
KIRBY, Chicago Police  
Commander JAMES  
O'GRADY, Chicago  
Police Chief NICHOLAS  
ROTTI, Chicago Police  
Lt. DEBORAH PASCUA,  
Chicago Police  
Sergeant MAURICE  
BARNES, Chicago Police  
Lt. ROBERT CESARIO,  
Chicago Police  
Commander JOSEPH  
SALEMME, Chicago  
Police Sergeant THOMAS  
MILLS, Chicago Police  
Sergeant MICHAEL BARZ  
and Chicago Police  
Sergeant ROBERT  
MUSCOLINO,

Defendants.

DEPOSITION OF COLEEN DOUGAN

June 17, 2015

9:51 a.m.

**MARIBETH REILLY & ASSOCIATES**

630.408.2237

Chicago & Suburbs [maribeth.reilly@gmail.com](mailto:maribeth.reilly@gmail.com)

Page 2

1                   The deposition of COLEEN DOUGAN,  
2    called for examination pursuant to the Rules  
3    of Civil Procedure for the United States  
4    District Courts pertaining to the taking of  
5    depositions, taken before MARIBETH REILLY,  
6    C.S.R., and notary public within and for the  
7    County of DuPage and State of Illinois, at  
8    One North LaSalle Street, Suite 3040,  
9    Chicago, Illinois, on June 17, 2015,  
10   commencing at the hour of 9:51 a.m.

11

12                   APPEARANCES:

13                   Kinoy, Taren & Geraghty, P.C., by:

14                   Mr. Jeffrey Taren

15                   224 South Michigan Avenue

16                   Suite 490

17                   Chicago, Illinois 60604

18                   -and-

19                   Christopher Smith Trial Group, by:

20                   Mr. Christopher Smith

21                   One North LaSalle Street

22                   Suite 2200

23                   Chicago, Illinois 60602

24                   Representing the Plaintiffs;

	Page 3	Page 5
1	APPEARANCES: (Continued)	1 (Whereupon, the witness was 2 duly sworn.)
3	Dinker Biddle & Reath LLP	3 MR. TAREN: This is the case of
4	BY: Ms. Leslie Davis	4 Shannon Spalding and Daniel Echeverria
5	191 North Wacker Drive	5 versus City of Chicago, 12 C 8777, and the
6	Suite 3700	6 deposition of Coleen Dougan.
7	Chicago, Illinois 60606	7 COLEEN DOUGAN,
8	Representing the Defendants;	8 having been first administered an oath, was
9		9 examined and testified as follows:
10	MR. DANIEL ECHEVERRIA,	10 EXAMINATION:
11	Also present.	11 BY MR. TAREN:
12		12 Q. Ms. Dougan, my name is Jeffrey
13		13 Taren. I am one of the attorneys for the
14		14 plaintiffs in this case. Have you ever had
15		15 your deposition taken before?
16		16 A. Years ago.
17		17 Q. How many times?
18		18 A. One.
19		19 Q. What kind of a case was it?
20		20 A. It was personal.
21		21 Q. You are going to have to tell me.
22		22 Was it in any way related to your
23	Maribeth Reilly, C.S.R	23 employment?
24	License No: 084-2306	24 A. No.
	Page 4	Page 6
1	INDEX	1 Q. What kind of a case was it?
2	WITNESS	2 A. Kind of a domestic-related case.
3	COLEEN DOUGAN	3 Q. Was it a part of a divorce?
4	By Mr. Taren	4 A. No.
5		5 Q. What role did you play in the
6		6 case?
7	EXHIBITS	7 A. It was my stepfather.
8		8 Q. But were you a party to -- did you
9	NUMBER	9 sue someone, or were you being sued?
10	Deposition Exhibit	10 A. I was being sued.
11		11 Q. Where was it? In Cook County?
12	(No deposition exhibits were marked.)	12 A. Yes.
13		13 Q. I understand your reluctance to
14	*****	14 talk about these things, but so that you
15		15 know, as part of this deposition, I am going
16		16 to be having to ask you some personal
17		17 questions. It's not meant to trick you or
18		18 to humiliate you in any way. It's just part
19		19 of my job in getting all of the background
20		20 information.
21		21 So do you have any
22		22 recollection of when the deposition was?
23		23 A. Maybe -- I don't remember. It was
24		24 a long time ago. Could have been in like

	Page 7	Page 9
1	<p>1 '01.</p> <p>2 Q. What was your stepfather's name?</p> <p>3 A. Ken.</p> <p>4 Q. What was his last name?</p> <p>5 A. Graham.</p> <p>6 Q. G-r-a-h-a-m?</p> <p>7 A. Uh-huh.</p> <p>8 Q. What was he suing you for?</p> <p>9 A. The deposition wasn't for the</p> <p>10 lawsuit. It was for the domestic. I was</p> <p>11 the victim.</p> <p>12 Q. Can you explain to me?</p> <p>13 A. I'd rather not explain.</p>	<p>1 Daniel Echeverria when they were employed in</p> <p>2 the police department.</p> <p>3 Do you want some water?</p> <p>4 A. I do.</p> <p>5 (Whereupon, a break was taken</p> <p>6 at 9:57 a.m.</p> <p>7 BY MR. TAREN:</p> <p>8 Q. I will be asking you questions.</p> <p>9 They are not designed to trick you. If you</p> <p>10 don't understand a question, let me know. I</p> <p>11 will be happy to rephrase the question. If</p> <p>12 you answer, I will assume you understood the</p> <p>13 question.</p> <p>14 In terms of the rules here,</p> <p>15 the only real rule other than telling the</p> <p>16 truth is all answers must be audible. So if</p> <p>17 you shake your head like we all do or say</p> <p>18 uh-huh or uh-huh, the court reporter can't</p> <p>19 take that down. Okay?</p> <p>20 A. Okay.</p> <p>21 Q. If you need a break at some point,</p> <p>22 as long as there is not a question pending,</p> <p>23 let us know, and we will be happy to take a</p> <p>24 break.</p>
1	<p>1 money in a bank account to pay me for my</p> <p>2 house, but the money was still there. He</p> <p>3 said he couldn't take it out. It was very</p> <p>4 convoluted. He was a drug addict.</p> <p>5 Q. How did the case get resolved?</p> <p>6 A. He took his money out of the bank.</p> <p>7 Q. Was there a court order of some</p> <p>8 sort allowing him to?</p> <p>9 A. Yes, there was.</p> <p>10 Q. Was there any kind of finding with</p> <p>11 regard to you in that case?</p> <p>12 A. That I held no liability towards</p> <p>13 him, that it was -- it wasn't like a guilty</p> <p>14 or a not guilty finding. It was a finding</p> <p>15 that I did nothing wrong, basically.</p> <p>16 Q. This was a civil case?</p> <p>17 A. It was a civil matter.</p> <p>18 Q. Let me explain what this</p> <p>19 deposition is because it may be different</p> <p>20 from the last one that you gave. I am going</p> <p>21 to be questioning you about your employment</p> <p>22 primarily with the Chicago Police</p> <p>23 Department, and about information that you</p> <p>24 may have concerning Shannon Spalding or</p>	<p>1 As I said, I will be asking</p> <p>2 you some personal information questions.</p> <p>3 It's really for the purpose of this lawsuit.</p> <p>4 They are asked of everyone, and I just like</p> <p>5 to let people know in advance. Okay?</p> <p>6 A. Okay.</p> <p>7 Q. Can you tell me your current</p> <p>8 address?</p> <p>9 A. 3631 North Pioneer.</p> <p>10 Q. That's in the City, correct?</p> <p>11 A. Chicago.</p> <p>12 Q. How long have you lived there?</p> <p>13 A. About 12 years.</p> <p>14 Q. Are you married, Ms. Dougan?</p> <p>15 A. Yes.</p> <p>16 Q. And what is your husband's name?</p> <p>17 A. Michael.</p> <p>18 Q. Is he employed by the Chicago</p> <p>19 Police Department?</p> <p>20 A. Yes.</p> <p>21 Q. What is his position? Is he a</p> <p>22 sworn officer?</p> <p>23 A. Yes.</p> <p>24 Q. How long has he been an officer?</p>

	Page 11	Page 13
1	A. 20 years.	1 department.
2	Q. How long have you been married?	2 Q. And then what year did you join
3	A. 15.	3 the police department?
4	Q. What was his rank?	4 A. 1992.
5	A. Police officer.	5 Q. Have you been employed by the
6	Q. And what is his current	6 police department ever since?
7	assignment?	7 A. Yes.
8	A. Canine.	8 Q. I'd like you to, if you can, take
9	Q. To your knowledge, has your	9 me through your career at the police
10	husband ever worked with either Shannon	10 department in terms of positions you have
11	Spalding or Daniel Echeverria?	11 held and assignments with approximate dates,
12	A. Not that I know, no.	12 if you can?
13	Q. Do you have any children?	13 A. Dates are rough. Obviously, when
14	A. Yes.	14 I got on the police department, I was
15	Q. Just let me know what their ages	15 assigned to the police academy. I did my
16	are?	16 field training in 23, 23rd District for six
17	A. 20 and 13.	17 months, and then I was detailed to 24th
18	Q. Is your 20-year-old employed by	18 District until my probation was up, and then
19	the Chicago Police Department, or has he	19 I bid into the 15th District.
20	ever been?	20 Q. So then when did you bid into the
21	A. She.	21 15th District, approximately?
22	Q. She?	22 A. Probably sometime in 1993 when my
23	A. No.	23 year was up.
24	Q. Can you briefly tell me what your	24 Q. How long did you remain there?
	Page 12	Page 14
1	educational background is?	1 A. Until, I want to say -- it's not
2	A. As -- what do you mean?	2 for sure, but I want to say -- I had surgery
3	Q. Where did you go to high school?	3 in '98. So 1998.
4	A. I went to Good Counsel High	4 Q. Then how did your assignment
5	School.	5 change at that time?
6	Q. Where is that?	6 A. I had an accident in 1996 that I
7	A. Chicago.	7 had been dealing with, and then I ended up
8	Q. What year did you graduate?	8 finally having back surgery, spinal fusion.
9	A. 1988.	9 So in 1998, I had my surgery,
10	Q. What is your date of birth?	10 and I was able to work out of the 12th
11	A. 22, December, 1969.	11 District in the commander's office as an
12	Q. And after high school, did you	12 administrative assistant.
13	attend college?	13 Q. Who was the commander at that time
14	A. Yes.	14 that you worked for?
15	Q. Where did you go?	15 A. Maurice Dailey.
16	A. I went to Wright and Triton for	16 Q. How long were you in that
17	prerequisites.	17 position?
18	Q. Okay.	18 A. I was in there -- this isn't exact
19	A. For nursing school.	19 times just so you know -- about a year, and
20	Q. Did you receive any kind of degree	20 then I went back and worked on the streets.
21	or certification?	21 Q. Did you go back to the 15th
22	A. I stayed in nursing school at	22 District?
23	St. Francis Hospital in Evanston for a year	23 A. No. I stayed in 12 for a little
24	and a half, which I left to join the police	24 while, and worked on days, and then I bid to

Page 15	Page 17
<p>1 the 25th District.</p> <p>2 Q. Approximately how long were you at</p> <p>3 the 25th?</p> <p>4 A. Maybe eight months.</p> <p>5 Q. And then what?</p> <p>6 A. And then I went to Area 5</p> <p>7 Detective Division as an administrative</p> <p>8 assistant.</p> <p>9 Q. What period of time were you in</p> <p>10 Area 5 Detective Division?</p> <p>11 A. Approximately, it would have been,</p> <p>12 from 2000.</p> <p>13 Q. Until when?</p> <p>14 A. Until they closed in 2012.</p> <p>15 Q. Who did you serve as</p> <p>16 administrative assistant to at Area 5?</p> <p>17 A. The first commander that I worked</p> <p>18 for was Gerard Minke, and then it was</p> <p>19 Commander Lee Epplen. Then it was Commander</p> <p>20 Constantine Andrews. Then it was</p> <p>21 Commander Joseph Salemme, and that's it.</p> <p>22 Q. And then how did your employment</p> <p>23 change in 2012?</p> <p>24 A. Well, they closed Area 5 Detective</p>	<p>1 A. What do you mean?</p> <p>2 Q. Did you meet with counsel? Don't</p> <p>3 tell me what you said, but just tell me if</p> <p>4 you did?</p> <p>5 A. I met with Leslie.</p> <p>6 Q. And when did you do that?</p> <p>7 A. I met with her yesterday, and we</p> <p>8 met a while ago. I don't remember what</p> <p>9 dates.</p> <p>10 Q. Other than speaking with counsel,</p> <p>11 did you talk with anyone else to prepare for</p> <p>12 today's deposition?</p> <p>13 A. No.</p> <p>14 Q. Did you review any documents?</p> <p>15 A. Yes.</p> <p>16 Q. What documents did you review?</p> <p>17 A. I reviewed Jan Hanna's affidavit.</p> <p>18 Q. Anything else?</p> <p>19 A. No.</p> <p>20 Q. Did you review anybody -- any</p> <p>21 depositions that anyone else gave in this</p> <p>22 case?</p> <p>23 A. No.</p> <p>24 Q. Were you given excerpts of</p>
Page 16	Page 18
<p>1 Division and merged different areas, so</p> <p>2 there used to be five areas. Now there is</p> <p>3 three. So now there is only north, south</p> <p>4 and central.</p> <p>5 Commander Salemme was going to</p> <p>6 work for Fugitive Apprehension in Homan</p> <p>7 Square. I guess I had a choice of either</p> <p>8 going to work north or work with Commander</p> <p>9 Salemme, and I chose to go to Fugitive</p> <p>10 Apprehension, Central Investigations</p> <p>11 Division.</p> <p>12 Q. Do you recall when in 2012 that</p> <p>13 occurred?</p> <p>14 A. I was on furlough. I want to say</p> <p>15 the end of February, beginning of March. I</p> <p>16 want to -- it's not exact, but I want to say</p> <p>17 maybe March, March. Yes.</p> <p>18 Q. I am going to be focusing</p> <p>19 primarily on your time in Fugitive</p> <p>20 Apprehension. Before I do that, can you</p> <p>21 tell me what you did to prepare for today's</p> <p>22 deposition?</p> <p>23 A. To prepare?</p> <p>24 Q. Yes.</p>	<p>1 anybody's depositions?</p> <p>2 A. No.</p> <p>3 Q. How long were you on furlough</p> <p>4 before the assignment to Homan Square?</p> <p>5 A. I was on furlough around</p> <p>6 Christmas. I don't know the exact date.</p> <p>7 Usually I come back after New Year's, and I</p> <p>8 went back to Area 5 for a couple of months</p> <p>9 because there was really no one there to</p> <p>10 keep the organization and do the reports</p> <p>11 before they were merging with Area 3.</p> <p>12 So I was there for a little</p> <p>13 while before I went to Fugitives, Central</p> <p>14 Investigations, for maybe like, I want to</p> <p>15 say, about two months.</p> <p>16 Q. Tell me what your duties and</p> <p>17 responsibilities were once you were assigned</p> <p>18 to Fugitive Apprehension?</p> <p>19 A. It was a lot of work. Originally,</p> <p>20 Commander Salemme, I was working just for</p> <p>21 Lieutenant Cesario to develop some sort of</p> <p>22 way of keeping track of who had what</p> <p>23 assignments. There was no actual physical</p> <p>24 way of knowing who had what jobs, like</p>

Page 19	Page 21
<p>1 assigning warrants and investigative alerts.</p> <p>2 So if you wanted to know who</p> <p>3 had that job, you would be like, okay, who</p> <p>4 at north had that job? There was no</p> <p>5 specific person documented to be able to ask</p> <p>6 questions about, I guess, as a supervisor in</p> <p>7 regards to certain investigative alerts or</p> <p>8 warrants.</p> <p>9 So when we first got there, I</p> <p>10 had to help develop a database in Access,</p> <p>11 Microsoft Access. So it wasn't --</p> <p>12 MS. DAVIS: There is no question</p> <p>13 pending.</p> <p>14 BY MR. TAREN:</p> <p>15 Q. Okay. Well, yeah, there is. The</p> <p>16 question is what your duties and</p> <p>17 responsibilities were?</p> <p>18 What else? So you were</p> <p>19 developing this database in Microsoft</p> <p>20 Access. And do I understand that that</p> <p>21 database was to help keep track of the</p> <p>22 assignments?</p> <p>23 A. Yes, pretty much.</p> <p>24 Q. You were working with Lieutenant</p>	<p>1 investigative alerts.</p> <p>2 Q. And can you tell me how your</p> <p>3 duties changed in that regard?</p> <p>4 A. Yes. So we could -- now going</p> <p>5 back, remember, there were five areas.</p> <p>6 Q. Right.</p> <p>7 A. Now we had to combine north, south</p> <p>8 and central. There wasn't just five areas.</p> <p>9 So we had to figure out which area issued an</p> <p>10 investigative alert. He made us like --</p> <p>11 first, he gave us the top five jobs to</p> <p>12 assign, which would be like homicides,</p> <p>13 aggravated batteries, robberies, burglaries,</p> <p>14 and criminal sexual assaults. So we started</p> <p>15 small before we were able to assign the rest</p> <p>16 of all the investigative alerts.</p> <p>17 So whatever came out from our</p> <p>18 area, like I would run area north. At that</p> <p>19 point, Jan had south and central. And then</p> <p>20 we were working on -- at that time more -- I</p> <p>21 was working more on NATO assignments, so I</p> <p>22 had a lot of meetings and trying to figure</p> <p>23 out these things they call like 204's where</p> <p>24 the officers go to. So I was working more</p>
<p>1 Cesario on that?</p> <p>2 A. Yes.</p> <p>3 Q. With anyone else?</p> <p>4 A. Jan Hanna.</p> <p>5 Q. Did you have any responsibility</p> <p>6 for actually making assignments or making --</p> <p>7 either determining who got what assignments</p> <p>8 or communicating who got what assignments in</p> <p>9 Fugitive Apprehension?</p> <p>10 A. At that point, no.</p> <p>11 Q. By "at that point," we are talking</p> <p>12 about the beginning of 2012; is that</p> <p>13 correct?</p> <p>14 A. Yes.</p> <p>15 Q. And did that change at some point?</p> <p>16 A. Yes.</p> <p>17 Q. When?</p> <p>18 A. I don't know the exact dates, but</p> <p>19 Jan and I were each assigned areas because</p> <p>20 they are divided into area north, south and</p> <p>21 central. So we were each putting in the</p> <p>22 information in the database, and then</p> <p>23 eventually we would assign the investigative</p> <p>24 alerts, and not the warrants yet, just</p>	<p>1 with NATO, but I was assigning north.</p> <p>2 Q. Did you work on developing any</p> <p>3 standards for determining who would get</p> <p>4 which assignments?</p> <p>5 A. No, I wouldn't work on those</p> <p>6 standards.</p> <p>7 Q. Were there standards?</p> <p>8 A. There were standards who got what</p> <p>9 type of assignments?</p> <p>10 Q. Yes. That's what I am asking.</p> <p>11 Were those standards in writing?</p> <p>12 A. No.</p> <p>13 Q. Did you ever see a general order</p> <p>14 or a memo that detailed the standards or</p> <p>15 parameters for determining which officers</p> <p>16 would be given specific assignments?</p> <p>17 A. No.</p> <p>18 Q. Well, then who did develop the</p> <p>19 standards for making those determinations?</p> <p>20 A. The bosses.</p> <p>21 Q. And that would be</p> <p>22 Lieutenant Cesario and Commander Salemme; is</p> <p>23 that correct?</p> <p>24 A. Yes.</p>

Page 23	Page 25
<p>1       Q. Can you tell me what you recall 2       about what those standards were? And we are 3       talking about during 2012. 4       A. 2012. 5       We had certain members that 6       were assigned to a Marshal, the U.S. 7       Marshals. They were called TFOs. 8       Q. These were officers that were 9       deputized for the marshals? 10      A. Yes. 11      Q. Okay. 12      A. And they would get most of the top 13       five jobs, especially homicides and agg 14       bats. And then we had one full marshal team 15       that did like the sex crimes. 16      Q. Were you specifically told that 17       the top five jobs went to TFOs? 18      A. Yes. 19      Q. Who told you that? 20      A. Lieutenant Cesario. 21      Q. Did he tell you why? 22      A. I didn't really understand it at 23       first, but I guess I think the marshals 24       select people to work with them, and then</p>	<p>1       Q. Did either of those officers 2       become TFOs during the time that you were at 3       Fugitive Apprehension? 4       A. When I was in Fugitives? 5       Q. Yes. 6       A. No. I mean, I am still part of 7       Central Investigations. I just don't work 8       with Fugitives anymore. We have several 9       units in our unit now. 10      Q. What unit are you working with 11       now? 12      A. They are still in that unit. I am 13       just -- instead of just being an admin 14       person in Fugitive Apprehension, I am now an 15       admin person for the commanders or front 16       office. 17      Q. What commanders are you working 18       with right now? 19      A. Right now, we don't have a 20       commander. We have an acting commanding 21       officer. Lieutenant Warren Richards. 22      Q. Was Jan Hanna's duties similar to 23       yours just in 2012? 24      A. Yes, similar.</p>
Page 24	Page 26
<p>1       there is like a -- I think they reimburse 2       the City for their overtime. So I think 3       they are able to go from county to county. 4       They can even -- they are federal officers, 5       so they can work with other states and 6       counties. Whereas if we had an offender 7       here who went to Indiana, they would be able 8       to work to get that offender in Indiana, 9       from what I understand. 10      Q. Do you know how an officer became 11       deputized? How did that take place in 2012? 12      A. No. 13      Q. Of the officers you worked with 14       back in the first half of 2012, how many 15       approximately were TFOs and how many were 16       not? 17      A. I don't recall the number. 18      Q. Do you recall any officers who 19       were not TFOs? 20      A. I remember two because they were 21       on my north team. 22      Q. Who was that? 23      A. Rubin Devalia and Jeff Frelip 24       (phoenetic).</p>	<p>1       Q. Was the primary difference the 2       area that you were dealing with? I think 3       you mentioned that you were handling north 4       and Jan was handling central and south? 5       A. And then there were -- well, there 6       were different reports that I would do that 7       she didn't do. There was -- 8       Q. Tell me what the difference was 9       between your duties and responsibilities 10       during 2012 between you and Ms. Hanna? 11      A. Between me and Ms. Hanna? 12      Q. Yes. 13      A. I handle also -- there was a -- we 14       had like concentrated districts, so we had 7 15       and 11, which specific officers were 16       assigned those districts, so they always got 17       those jobs. We had one TFO that was in that 18       group. 19      Q. Who was that? 20      A. Charlie Garcia. So if something 21       out of the top five happened, Charlie would 22       probably be the first one to get that job. 23       And then they have to arrest -- like 24       different investigative alerts would come</p>

Page 27

1 out. Everybody who assigned those, Jan  
 2 didn't have to deal with 7, 11 reports. She  
 3 would assign her seven people, but then I  
 4 would do the reports for CompStat. That's  
 5 the meeting they have every Thursday.

6 So they were -- when it came  
 7 to the administrative parts of doing  
 8 scheduling days off, or anything like that,  
 9 that would fall on me. That wouldn't be  
 10 Jan's.

11 Q. I understand.

12 A. I am more of an administrative  
 13 person, I guess, than a fugitive person.

14 Q. In March of 2012 through June,  
 15 let's say, how often did you meet with  
 16 Lieutenant Cesario?

17 A. Did I meet with him like  
 18 one-on-one?

19 Q. Was it daily?

20 A. He was there every day, yes.

21 Q. Did you have contact with him  
 22 throughout the day?

23 A. Yes.

24 Q. And excuse my ignorance here,

1 Q. Just the two of them, or am I  
 2 missing something? Were they meeting with  
 3 somebody else?

4 A. The whole department heads. It's  
 5 a meeting for all of the bosses, for all of  
 6 the department bosses.

7 Q. Would you provide any of the data  
 8 to Lieutenant Cesario or Commander Salemme  
 9 for the purpose of those meetings?

10 A. Yes, to Lieutenant Cesario, and  
 11 then it would be compiled for the commander.

12 Q. When did you first meet either  
 13 Shannon Spalding or Danny Echeverria?

14 A. I don't know the exact date when  
 15 they came to the unit. There were two  
 16 people who were leaving the unit, and then  
 17 they were coming into the unit.

18 Q. Who was it that was leaving?

19 A. Kim and Kyle.

20 Q. Just so I am clear, you had not  
 21 met either Shannon or Danny before they came  
 22 to the Fugitive Apprehension; is that  
 23 correct?

24 A. I didn't remember until I was

Page 28

1 explain to me what the CompStat meetings  
 2 are?

3 A. That's a superintendent meeting  
 4 where he gathers statistics about each area  
 5 and wants to discuss the concentration, I  
 6 guess, and the arrests, and what the  
 7 officers are doing in that area.

8 Q. Tell me who would customarily  
 9 attend those meetings.

10 A. Commander Salemme and Lieutenant  
 11 Cesario. Sometimes sergeants would go, I  
 12 guess.

13 Q. Sergeant Barnes, would he go?

14 A. I don't know if he went. But some  
 15 of the sergeants if they needed advice, I  
 16 guess, they would go with them.

17 Q. Did you attend those meetings?

18 A. No.

19 Q. Do you know if Jan did?

20 A. No.

21 Q. Are you telling me that those  
 22 CompStat meetings were just Salemme and  
 23 Cesario?

24 A. Pretty much.

Page 30

1 talking to Danny that I met him when I was a  
 2 teenager.

3 Q. But you weren't in the police  
 4 department at that time?

5 A. No.

6 Q. This was a casual meeting that you  
 7 had?

8 A. Mutual. He worked with my best  
 9 friend.

10 Q. Prior to either Ms. Spalding or  
 11 Mr. Echeverria actually reporting to  
 12 Fugitive Apprehension, had you heard  
 13 anything about them coming to the unit?

14 A. I was just told Kim and Kyle were  
 15 leaving, and we are getting two more  
 16 officers.

17 Q. Who told you that?

18 A. First person who told me was Jan  
 19 Hanna, and then Lieutenant Cesario  
 20 reaffirmed that, yes, we are getting two  
 21 more people, and Kim and Kyle were going  
 22 back to the 25th District.

23 Q. You say the first person who told  
 24 you that was Jan Hanna. Did she identify

Page 31	Page 33
<p>1 the people who were coming by name?</p> <p>2 A. No. She just said two people when</p> <p>3 I first heard it.</p> <p>4 Q. Did she tell you why Kim and Kyle</p> <p>5 were leaving?</p> <p>6 A. Because we didn't have a third</p> <p>7 watch, and they wanted to go back. They</p> <p>8 wanted to go back to their tact team in 25.</p> <p>9 Q. Did Jan Hanna tell you anything</p> <p>10 about where the two new officers were coming</p> <p>11 from?</p> <p>12 A. No.</p> <p>13 Q. And you just said that Lieutenant</p> <p>14 Cesario confirmed that. Was that in the</p> <p>15 same conversation or a different one?</p> <p>16 A. We had like a kitchenette so Jan</p> <p>17 sat next to me and said, "oh, we are getting</p> <p>18 two more people." And I said to Lieutenant</p> <p>19 Cesario, I said, "Lieutenant, are we getting</p> <p>20 two more people?" And he said, "yes." And</p> <p>21 I said, "What team are they going on?" And</p> <p>22 he said, "south." And I said, "oh, okay."</p> <p>23 Q. Nothing else in that conversation?</p> <p>24 A. It wouldn't be any concern of</p>	<p>1 later in the day.</p> <p>2 Q. And that would have been before</p> <p>3 they actually showed up for their</p> <p>4 assignment, is that what you are saying?</p> <p>5 A. Uh-huh.</p> <p>6 Q. Yes?</p> <p>7 A. Yes. I'm sorry.</p> <p>8 Q. Was it part of the same</p> <p>9 conversation you were just telling us about?</p> <p>10 A. No. It was later.</p> <p>11 Q. And it was that same day?</p> <p>12 A. Uh-huh. Yes. Sorry.</p> <p>13 Q. Who was present when you had that</p> <p>14 conversation with Jan?</p> <p>15 A. Jan.</p> <p>16 Q. And tell me more specifically what</p> <p>17 you recall her saying to you, and what you</p> <p>18 said back to her with regard to her trying</p> <p>19 to figure out where they were coming from?</p> <p>20 A. She -- I wore headphones a lot</p> <p>21 because I didn't really -- I wanted to get</p> <p>22 my work done, so I didn't want to -- I</p> <p>23 wasn't big into the chatter of everybody.</p> <p>24 And I just said, I asked her eventually, do</p>
Page 32	Page 34
<p>1 mine.</p> <p>2 MS. DAVIS: Just answer his</p> <p>3 question.</p> <p>4 THE WITNESS: Oh, in that</p> <p>5 conversation? No.</p> <p>6 BY MR. TAREN:</p> <p>7 Q. And did Lieutenant Cesario tell</p> <p>8 you anything in that conversation about</p> <p>9 where Officers Spalding or Echeverria had</p> <p>10 previously been assigned?</p> <p>11 A. No.</p> <p>12 Q. Did you have any other</p> <p>13 conversations with anyone about the two new</p> <p>14 officers, Spalding and Echeverria, before</p> <p>15 they actually started their assignment?</p> <p>16 A. Just Jan.</p> <p>17 Q. What other conversations did you</p> <p>18 have with Jan about them?</p> <p>19 A. She was trying to figure out where</p> <p>20 they came from. And she said, "Oh, I think</p> <p>21 they are from medical integrity, IAD."</p> <p>22 Q. When did you have that</p> <p>23 conversation?</p> <p>24 A. Probably within the same day,</p>	<p>1 you know -- or she said, "Do you know where</p> <p>2 they are coming from?" And I said, "no." I</p> <p>3 don't the exact conversation. But she said,</p> <p>4 "I believe they are coming from medical</p> <p>5 integrity, IAD." And I said, "oh."</p> <p>6 Q. What did you understand her to</p> <p>7 mean by that?</p> <p>8 A. That's where she thought that they</p> <p>9 were coming from.</p> <p>10 Q. Was she -- when you had that --</p> <p>11 MS DAVIS: Let him finish his</p> <p>12 question before you answer.</p> <p>13 BY MR. TAREN:</p> <p>14 Q. When you had that conversation,</p> <p>15 were you looking at some documents?</p> <p>16 A. No.</p> <p>17 Q. Did she indicate to you where she</p> <p>18 was getting her information from?</p> <p>19 A. No.</p> <p>20 Q. Do you know whether she had talked</p> <p>21 to Lieutenant Cesario about where Shannon</p> <p>22 and Danny had been coming from?</p> <p>23 A. No.</p> <p>24 Q. Do you think she just pulled this</p>

Page 35	Page 37
<p>1 out of the air?</p> <p>2 A. I don't get into people's</p> <p>3 business. So if --</p> <p>4 MS. DAVIS: Answer his question.</p> <p>5 THE WITNESS: Pulling it out of</p> <p>6 the air? No.</p> <p>7 BY MR. TAREN:</p> <p>8 Q. Did you ask her any questions</p> <p>9 about Danny or Shannon at that time?</p> <p>10 A. No.</p> <p>11 Q. When did you first have a</p> <p>12 conversation with Lieutenant Cesario about</p> <p>13 either Shannon Spalding or Danny Echeverria?</p> <p>14 A. I don't recall the exact time.</p> <p>15 Q. Well, in relation to the</p> <p>16 conversation you just recounted from Jan</p> <p>17 Hanna, when was it? Was it hours? Days?</p> <p>18 Weeks?</p> <p>19 A. Probably just to find out the date</p> <p>20 of their arrival. And like I said, to make</p> <p>21 sure whose team they were going to be</p> <p>22 working for on the jobs.</p> <p>23 Q. After your conversation with Jan</p> <p>24 Hanna but before they arrived, you did have</p>	<p>1 A. Yes.</p> <p>2 Q. Did he tell you when they were</p> <p>3 going to start?</p> <p>4 A. Yes.</p> <p>5 Q. What did he say?</p> <p>6 A. I don't recall exactly what he</p> <p>7 said. He said the day that they were going</p> <p>8 to start. I don't remember the exact date,</p> <p>9 but he told me the day that they were</p> <p>10 starting.</p> <p>11 Q. Did he tell you anything else</p> <p>12 about them at that time?</p> <p>13 A. No.</p> <p>14 Q. Did you ask him any questions</p> <p>15 about them?</p> <p>16 A. No.</p> <p>17 Q. Did you ask where they had come</p> <p>18 from?</p> <p>19 A. No.</p> <p>20 Q. When was the next time you had a</p> <p>21 conversation with Lieutenant Cesario about</p> <p>22 Danny or Shannon?</p> <p>23 A. Probably not until they were</p> <p>24 assigned to the north team.</p>
Page 36	Page 38
<p>1 some discussion with Lieutenant Cesario</p> <p>2 about Officers Spalding and Echeverria; is</p> <p>3 that correct?</p> <p>4 A. Yes. With Jan, too.</p> <p>5 Q. I understand. But right now I am</p> <p>6 asking about Lieutenant Cesario.</p> <p>7 A. Are you talking about a one-on-one</p> <p>8 with him about them?</p> <p>9 Q. No. You could have been present.</p> <p>10 Why don't you tell me who was present when</p> <p>11 you first spoke with Lieutenant Cesario</p> <p>12 about anything to do with Shannon or Danny?</p> <p>13 MS. DAVIS: You mean other than</p> <p>14 what she's already testified about?</p> <p>15 MR. TAREN: Yes.</p> <p>16 THE WITNESS: Anybody else there?</p> <p>17 BY MR. TAREN:</p> <p>18 Q. Yes.</p> <p>19 A. Nobody.</p> <p>20 Q. You just told me you had some</p> <p>21 conversation with Lieutenant Cesario. You</p> <p>22 had to find out, among other things, when</p> <p>23 Danny and Shannon were going to start,</p> <p>24 correct?</p>	<p>1 Q. When was that?</p> <p>2 A. I don't remember the dates, but it</p> <p>3 was later than --</p> <p>4 Q. It was months later?</p> <p>5 A. Months later they were assigned.</p> <p>6 Q. Are you telling me that between</p> <p>7 the conversation that you had with</p> <p>8 Lieutenant Cesario where he told you when</p> <p>9 Shannon and Danny were going to start, the</p> <p>10 next time you had any conversations with</p> <p>11 Cesario was after they had -- the</p> <p>12 plaintiffs, Danny and Shannon, had been</p> <p>13 assigned to the north team; is that correct?</p> <p>14 A. Yes.</p> <p>15 Q. Did you ever overhear Lieutenant</p> <p>16 Cesario talking to anyone else about Danny</p> <p>17 or Shannon?</p> <p>18 A. No.</p> <p>19 Q. Did Lieutenant Cesario ever tell</p> <p>20 you that either Shannon or Danny had</p> <p>21 previously been from IAD?</p> <p>22 A. No.</p> <p>23 Q. Did Lieutenant Cesario ever</p> <p>24 caution you to be leery of Danny or Shannon?</p>

	Page 39	Page 41
1	A. No.	1 MR. TAREN: I am here to ask
2	Q. Did you ever hear him caution	2 questions.
3	anyone to be leery of Danny or Shannon?	3 MS. DAVIS: Don't get loud with
4	A. No.	4 me. Don't raise your voice at me.
5	Q. Did you ever hear Lieutenant	5 MR. TAREN: If you have an
6	Cesario refer to either Danny or Shannon as	6 objection -- I am not raising my voice.
7	a rat?	7 MS. DAVIS: You were.
8	A. No.	8 MR. TAREN: Then please make the
9	Q. Did you ever hear him make that	9 objection.
10	statement to anyone?	10 MS. DAVIS: And I would. She
11	A. No.	11 didn't understand the question.
12	Q. Now, you initially told me about	12 MR. TAREN: If you continue to
13	Jan asking -- or telling you that she	13 make speaking objections, we are going to
14	thought that the plaintiffs had come from	14 terminate the deposition, we will get to
15	IAD. Did you have more than one discussion	15 Judge Feinerman, and we will have to have a
16	with Jan about anything to do with where	16 supervisor.
17	either Danny or Shannon had previously been	17 MS. DAVIS: I told you don't yell
18	assigned?	18 at me, so don't yell at me. If she said she
19	A. Not that I recall.	19 didn't understand the question, you have to
20	Q. So it was just the -- is it your	20 repeat the question. She was getting ready
21	sworn testimony that the only conversation	21 to ask you a question, and she is not
22	you ever had with Jan Hanna concerning	22 supposed to do that.
23	Ms. Spalding or Mr. Echeverria's prior	23 MR. TAREN: You are interrupting
24	assignment was that remark that she made	24 the witness in mid-answer and that is
	Page 40	Page 42
1	before they arrived saying that she believed	1 inappropriate. So I am going to ask you to
2	they were coming from medical integrity,	2 please just if you have an objection, raise
3	IAD?	3 your objection, do not make a speaking
4	A. No, that's not the only	4 objection. That is not allowed under the
5	conversation I had.	5 Northern District Rules.
6	Q. Okay. How many conversations did	6 MS. DAVIS: I am fully aware of
7	you have with her?	7 the Northern District Rules.
8	A. I asked -- well --	8 MR. TAREN: Would you read back
9	Q. You asked what?	9 the last question, please.
10	MS. DAVIS: Do you understand the	10 (Whereupon, the record was
11	question?	11 read as requested.)
12	THE WITNESS: No. Sorry.	12 MR. TAREN: I will rephrase the
13	Are you trying to find out --	13 question.
14	MS. DAVIS: Let him rephrase his	14 BY MR. TAREN:
15	question.	15 Q. You told us about a conversation
16	MR. TAREN: Would you stop	16 you had with Jan Hanna before either
17	interrupting the witness.	17 Ms. Spalding or Mr. Echeverria actually came
18	MS. DAVIS: I am not interrupting	18 to Fugitive Apprehension, and my question
19	the witness. She said she didn't	19 is: How many times did you have discussions
20	understand.	20 with Jan Hanna that had anything to do with
21	MR. TAREN: Yes, you are. You	21 where Ms. Spalding or Mr. Echeverria had
22	interrupted her about five times now.	22 been assigned prior to Fugitive
23	MS. DAVIS: She doesn't	23 Apprehension?
24	understand.	24 A. I don't recall all the times, but

Page 43	Page 45
<p>1 there were a couple, a few.</p> <p>2 Q. When was the next conversation you</p> <p>3 recall subsequent to the one that you</p> <p>4 already testified to?</p> <p>5 A. After I met them; Shannon and Dan.</p> <p>6 Q. Tell me about that conversation?</p> <p>7 Who was present?</p> <p>8 A. Jan, Dan and Shannon.</p> <p>9 Q. Do you recall when that took</p> <p>10 place?</p> <p>11 A. Either the first or second day</p> <p>12 they were there.</p> <p>13 Q. Where did it take place?</p> <p>14 A. In the fugitive office -- well,</p> <p>15 it's like an open area, fugitives. It's a</p> <p>16 big open atrium type area where everybody is</p> <p>17 at.</p> <p>18 Q. Tell me what you recall about what</p> <p>19 each party to the conversation said?</p> <p>20 A. It's not word for word, but I can</p> <p>21 tell you what I remember in the</p> <p>22 conversation.</p> <p>23 Q. That's fine.</p> <p>24 A. They, obviously, introduced</p>	<p>1 Q. Any other joking that you recall?</p> <p>2 A. That day?</p> <p>3 Q. Correct.</p> <p>4 A. Probably laughing, showing them</p> <p>5 where the lockers were, and the girls'</p> <p>6 bathroom and just things like that. It was</p> <p>7 just conversation, joking, a lot of joking</p> <p>8 going on.</p> <p>9 Q. Did Jan participate in the joking?</p> <p>10 A. Yes.</p> <p>11 Q. Do you recall anything she said?</p> <p>12 A. Jan is a bold person. So I don't</p> <p>13 recall specifics of what she said. It was</p> <p>14 just a lot of laughing.</p> <p>15 Q. Do you recall her saying anything</p> <p>16 to the effect that so you two are the IAD</p> <p>17 rats?</p> <p>18 A. You two are from IAD. I remember</p> <p>19 that.</p> <p>20 Q. Do you remember Jan saying that?</p> <p>21 A. Jan saying that.</p> <p>22 Q. I thought you just said that you</p> <p>23 made a statement?</p> <p>24 A. I asked Jan -- you said during the</p>
Page 44	Page 46
<p>1 themselves. Shannon asked me, do you know</p> <p>2 where I am from, which kind of, I was like,</p> <p>3 hearing from Jan, I said, oh, IAD, medical</p> <p>4 integrity unit? And she said, no, I am from</p> <p>5 narcotics. And I said, oh.</p> <p>6 We were just pretty much</p> <p>7 welcoming them here. They asked me how I</p> <p>8 got there. And I said, I was Commander</p> <p>9 Salemme's secretary before, and that they</p> <p>10 had closed the area, and I came there, and I</p> <p>11 asked if Jan could come with to help me with</p> <p>12 the database.</p> <p>13 Q. Okay.</p> <p>14 A. And then there is a lot of joking</p> <p>15 there. And I said, how did you guys get</p> <p>16 here? And she said, oh, Uncle Gar. So I</p> <p>17 thought, superintendent is your uncle? You</p> <p>18 know, I was -- there was, like I said, a lot</p> <p>19 of joking, and pretty much that was the</p> <p>20 conversation. No, he is not my uncle. It's</p> <p>21 just a joke, you know. There was no --</p> <p>22 Q. It was a friendly conversation?</p> <p>23 A. Yes, it was very friendly</p> <p>24 conversation.</p>	<p>1 joking part about, oh, you are not from IAD,</p> <p>2 maybe Jan said something like that. But,</p> <p>3 yes, I asked -- Shannon asked me do you know</p> <p>4 where I am from? And I said previously, to</p> <p>5 hearing Jan saying IAD, medical integrity</p> <p>6 unit. And I said, oh, IAD, medical</p> <p>7 integrity unit? And she said, no, we are</p> <p>8 from narcotics.</p> <p>9 Q. So in this conversation, you don't</p> <p>10 have any recollection of anyone saying that</p> <p>11 included the words "IAD rats"?</p> <p>12 A. No, I don't remember that.</p> <p>13 Q. When was the next conversation you</p> <p>14 recall that had anything to do with where</p> <p>15 Ms. Spalding or Mr. Echeverria had been</p> <p>16 previously assigned?</p> <p>17 A. I don't -- I don't recall any, or</p> <p>18 being involved in any discussion, or</p> <p>19 overhearing any conversations, discussions.</p> <p>20 Q. So that the record is clear then,</p> <p>21 the only time you were present for any</p> <p>22 discussion in which it was mentioned that</p> <p>23 Ms. Spalding or Mr. Echeverria may have been</p> <p>24 in IAD before coming to Fugitive</p>

Page 47	Page 49
<p>1      Apprehension was the one conversation with  2      Jan prior to the plaintiffs' arrival, and  3      then this conversation when you first met  4      them; is that correct?</p> <p>5      A. As far as I can recall.</p> <p>6      Q. Now, did you ever have any  7      conversations with anyone else other than  8      Jan Hanna or Danny or Shannon about whether  9      or not either of them had been in IAD?</p> <p>10     A. Not that I recall.</p> <p>11     Q. Is it possible?</p> <p>12     A. I don't know. It's a long time  13      ago.</p> <p>14     Q. But I am asking that because you  15      seemed a little unsure of yourself with  16      regard to this answer.</p> <p>17     A. I am trying to think back. Well,  18      you are asking me -- like I said, that's not  19      a big part of my life. I don't -- it's not  20      a concern of mine where people come from.</p> <p>21     Q. Let me ask this: Did you think at  22      the time that it was unusual that you had  23      been told that Danny and Shannon had been in  24      medical integrity IAD, and then Shannon said</p>	<p>1      A. She doesn't talk to me anymore.</p> <p>2      Q. When did that start?</p> <p>3      A. When she was on TV. She did  4      before that.</p> <p>5      Q. So before that happened -- and  6      that has to do with this case, correct?</p> <p>7      A. Yes.</p> <p>8      Q. (Continuing -- the two of you had  9      a good relationship; is that correct?</p> <p>10     A. Yes.</p> <p>11     Q. So what is it in general that she  12      said to you you just didn't recall the  13      specifics of?</p> <p>14     A. I don't know the specifics, just  15      in general of them coming from IAD or be  16      careful, but that was clarified when she  17      told me she came from narcotics.</p> <p>18     Q. So tell me, when did she tell you  19      to be careful?</p> <p>20     A. Not be careful, but I guess watch  21      what you say specifically.</p> <p>22     Q. When did she say that to you?</p> <p>23     A. Probably around the day that she  24      told me they were from IAD.</p>
<p>1      that she had come from narcotics?</p> <p>2      A. What's the question?</p> <p>3      Q. Did you think that -- did that  4      raise some question in your mind at the time  5      where did they really come from?</p> <p>6      A. No.</p> <p>7      Q. Did you ever make any effort to  8      ask or inquire on your own of about where  9      their prior assignments had been?</p> <p>10     A. No.</p> <p>11     Q. Did anyone ever warn you to be  12      leery of Danny or Shannon?</p> <p>13     A. Warn me?</p> <p>14     Q. Correct.</p> <p>15     A. No.</p> <p>16     Q. Did you ever hear anyone warn  17      anyone else about Danny or Shannon?</p> <p>18     A. I don't recall specifics, no.</p> <p>19     Q. Well, what do you recall, even if  20      it's in general?</p> <p>21     A. Maybe Jan speaking about it. But  22      that's about -- I sat next to her all day  23      for eight hours.</p> <p>24     Q. By the way, you two get along?</p>	<p>1      Q. So now you are recalling something  2      more than you initially told us?</p> <p>3      A. I would think, well, digging into  4      it, this was probably part of that  5      conversation there.</p> <p>6      Q. Did you say anything back to her  7      when she told you to be careful, they are  8      from IAD?</p> <p>9      A. Not that I recall.</p> <p>10     Q. Did you ever ask Lieutenant  11      Cesario anything about that?</p> <p>12     A. No.</p> <p>13     Q. Is there anything else that you  14      now recall about your conversations with  15      either Jan Hanna or anyone else about where  16      Danny and Shannon had come from prior to  17      Fugitive Apprehension?</p> <p>18     A. Wait, I'm sorry. Is that the same  19      question you were just asking a few minutes?</p> <p>20     Q. I just want to make sure there is  21      nothing else that you remember that you  22      didn't initially remember?</p> <p>23     A. No. There is nothing that I can  24      specifically recall than what I pretty much</p>

Page 51	Page 53
<p>1 told you.</p> <p>2 Q. Did you ever try to access any</p> <p>3 databases to find out what their prior</p> <p>4 assignment had been?</p> <p>5 A. No.</p> <p>6 Q. When did you first have any</p> <p>7 conversations with Lieutenant Cesario about</p> <p>8 assignments to be given to Ms. Spalding or</p> <p>9 Mr. Echeverria?</p> <p>10 A. I think one time Jan might have</p> <p>11 gone, or she was off, and I had to do her</p> <p>12 assignments.</p> <p>13 Q. Do you recall when that was?</p> <p>14 A. No, I don't.</p> <p>15 Q. And tell me what you had to do</p> <p>16 with regard to assignments for Ms. Spalding</p> <p>17 or Mr. Echeverria?</p> <p>18 A. Might have been a robbery or</p> <p>19 burglary assignment or something because --</p> <p>20 I don't know the exact assignments. I don't</p> <p>21 know. I don't.</p> <p>22 Q. But did you have a conversation</p> <p>23 with Lieutenant Cesario something to do</p> <p>24 about the assignments for either Shannon or</p>	<p>1 Danny or Shannon?</p> <p>2 A. You just asked me. I don't</p> <p>3 recall.</p> <p>4 Q. To your knowledge, do you know who</p> <p>5 selected the assignments that were to be</p> <p>6 given to Danny or Shannon?</p> <p>7 A. What do you mean by selected?</p> <p>8 Q. Who made the determinations?</p> <p>9 A. When they are on the team that you</p> <p>10 are dealing with, you give out the</p> <p>11 assignments. You just keep going down the</p> <p>12 line unless it's a top five assignment, you</p> <p>13 are supposed to give that to a TFO.</p> <p>14 Q. I'm sorry, I may have asked you</p> <p>15 this before. Have you ever seen anything in</p> <p>16 writing that instructs you or Ms. Hanna to</p> <p>17 give top five assignments only to TFOs?</p> <p>18 MS. DAVIS: Objection; asked and</p> <p>19 answered.</p> <p>20 MR. TAREN: You can answer.</p> <p>21 THE WITNESS: No, I didn't see</p> <p>22 anything in writing.</p> <p>23 BY MR. TAREN:</p> <p>24 Q. Have you ever assigned a non-TFO a</p>
Page 52	Page 54
<p>1 Danny; is that correct?</p> <p>2 A. Yes.</p> <p>3 Q. What do you recall about that</p> <p>4 conversation? Anything?</p> <p>5 A. I don't recall. That's -- nothing</p> <p>6 that would stand out in my mind.</p> <p>7 Q. Did you eventually make an</p> <p>8 assignment to Spalding or Echeverria instead</p> <p>9 of because --</p> <p>10 A. Back then? Or when?</p> <p>11 Q. Back then when Ms. Hanna was gone.</p> <p>12 A. I am sure I did.</p> <p>13 Q. Do you recall what kind of</p> <p>14 assignment it was?</p> <p>15 A. No, I don't recall.</p> <p>16 Q. Did you ever have any</p> <p>17 conversations with Jan Hanna about what</p> <p>18 kinds of assignments were to be given to</p> <p>19 Shannon or Danny?</p> <p>20 A. Not that I recall what kind of</p> <p>21 assignments, no, not that I remember.</p> <p>22 Q. Did you ever have any</p> <p>23 conversations with Lieutenant Cesario about</p> <p>24 what kind of assignments should be given to</p>	<p>1 top five assignment?</p> <p>2 A. Yes.</p> <p>3 Q. On how many occasions?</p> <p>4 A. I don't know. I can't recall how</p> <p>5 many occasions.</p> <p>6 Q. More than ten?</p> <p>7 A. I haven't done it in a long time.</p> <p>8 I don't -- it's not something that would</p> <p>9 just pop out at me. If you gave me the</p> <p>10 information of assignments, I could tell you</p> <p>11 which ones I assigned. It's been a long</p> <p>12 time.</p> <p>13 Q. Do you recall the circumstances</p> <p>14 behind any assignments of a top five to a</p> <p>15 non-TFO?</p> <p>16 A. If there were TFOs available on</p> <p>17 that area, yes.</p> <p>18 Q. So there was no restriction of</p> <p>19 giving a top five assignment to an officer</p> <p>20 who was not a TFO; is that correct?</p> <p>21 A. There is no restriction. It was</p> <p>22 in my bosses being directed, I guess. It's</p> <p>23 their unit. They are the boss.</p> <p>24 Q. Did you ever observe a top five</p>

Page 55	Page 57
<p>1 assignment being pulled from someone because 2 they were not a TFO?</p> <p>3 A. A top five assignment? Are you 4 talking about someone in specific?</p> <p>5 Q. Anyone.</p> <p>6 A. Yes, I do.</p> <p>7 Q. Who?</p> <p>8 A. I remember Shannon and Danny.</p> <p>9 Q. Tell me what you recall about 10 that?</p> <p>11 A. I believe it was a job that they 12 got assigned, and somebody else had already 13 called the sergeant and said that they were 14 working on that case with the detectives, if 15 they could get that assignment, and then the 16 sergeant called -- I don't remember if it 17 was me or Jan -- and told them to reassign 18 it to the TFO who has been working with the 19 detectives.</p> <p>20 Q. Who called to request that?</p> <p>21 A. I want to say -- I think it was 22 Sergeant Barnes.</p> <p>23 Q. Do you recall whether Sergeant 24 Barnes called you or Jan?</p>	<p>1 Q. But are you referring to another 2 assignment that was --</p> <p>3 MS DAVIS: You have to let him 4 finish.</p> <p>5 BY MR. TAREN:</p> <p>6 Q. Yes.</p> <p>7 A. I'm sorry, I'm sorry.</p> <p>8 Q. Are you referring to another 9 assignment that was given to Danny or 10 Shannon and was later pulled, a second one?</p> <p>11 A. I don't recall if it was the same 12 one.</p> <p>13 Q. All right.</p> <p>14 A. It might have been the same. Because if somebody is working on something, 15 and they previously worked on it, we usually 16 assign that to the same person. Like if 17 there is a warrant or investigative alert, 18 we will assign -- if they are already 19 working on it, it might be the same person.</p> <p>20 I don't know.</p> <p>21 Q. I know it sounds a little 22 confusing. It does to me.</p> <p>23 So this may have been the same</p>
Page 56	Page 58
<p>1 A. I don't recall. I don't recall. 2 I thought it was -- I answered the phone, 3 and he spoke with Jan.</p> <p>4 Q. And are you aware of this because 5 of something Jan told you or because of 6 something you overheard?</p> <p>7 A. Because I overheard Jan saying, I 8 have to reassign this job.</p> <p>9 Q. So Jan -- your understanding is 10 Jan was instructed by Sergeant Barnes to 11 reassign the job; is that correct?</p> <p>12 A. Yes.</p> <p>13 Q. Was this a homicide?</p> <p>14 A. I think I assigned them something 15 once also. And I -- I might have assigned 16 it, and then Jan assigned it. And it was 17 just a -- somebody was working on it 18 already. I know there was one that I 19 assigned, I think, on -- because I assigned 20 my stuff -- I was doing both assignments, 21 too. I mean, Jan did that -- that happened 22 with Jan before, but it happened with me 23 before. I don't remember if it was a 24 homicide.</p>	<p>1 assignment you are referring to, but I 2 thought you said that it was Jan who made 3 the assignment?</p> <p>4 A. I am not sure if it was Jan who 5 made it. You have to find the paperwork. I 6 don't know.</p> <p>7 Q. That's a good point. What 8 paperwork would there be?</p> <p>9 A. The assignment. The paperwork in 10 the database.</p> <p>11 Q. Would that indicate whether it was 12 you or Jan that made the assignment?</p> <p>13 A. Yes.</p> <p>14 Q. Do you know the name of the 15 arrestee. Do you recall that?</p> <p>16 A. No, I don't recall that.</p> <p>17 Q. Are you telling me that -- I know 18 you told me it was Sergeant Barnes who made 19 the phone call saying that this case needed 20 to be reassigned because someone had 21 previously worked it, correct?</p> <p>22 A. Yes.</p> <p>23 Q. Did he tell you -- do you recall 24 who it was that had previously worked that</p>

Page 59	Page 61
<p>1 assignment?</p> <p>2 A. I am not sure. Maybe -- it's not</p> <p>3 for sure. But I want to say maybe Brandon,</p> <p>4 Brandon Murphy maybe. That's not for sure,</p> <p>5 though.</p> <p>6 Q. When an assignment comes in, how</p> <p>7 would you or Jan know that it had previously</p> <p>8 been worked by another officer? Would there</p> <p>9 be something in the assignment sheet or</p> <p>10 database that would tell you that?</p> <p>11 A. Yes.</p> <p>12 Q. What would that be?</p> <p>13 A. The name and IR number of the</p> <p>14 Defendant.</p> <p>15 Q. What is there about the name and</p> <p>16 the IR number of the defendant that would</p> <p>17 tell you that another officer had worked</p> <p>18 that case?</p> <p>19 A. It would tell me whose case it was</p> <p>20 in there.</p> <p>21 Q. There would be a field?</p> <p>22 A. Yes.</p> <p>23 Q. That would tell you --</p> <p>24 A. Yes, a field.</p>	<p>1 Q. Are you aware of any other top</p> <p>2 five assignments that were first assigned</p> <p>3 and then taken away from an officer other</p> <p>4 than this one that you have been testifying</p> <p>5 about?</p> <p>6 A. Well, sometimes it happened a lot</p> <p>7 on even months when I was doing north, even</p> <p>8 with the TFOs, yes. Like one person would</p> <p>9 be working on it but didn't call and say</p> <p>10 they were working on it, and I assigned it</p> <p>11 to somebody else because I didn't know that</p> <p>12 they were working on it.</p> <p>13 Q. Can you identify any other</p> <p>14 instance where that happened?</p> <p>15 A. I am sure that -- there is</p> <p>16 probably -- I remember one time Jamie. I</p> <p>17 gave Jamie an assignment, and somebody else</p> <p>18 was working on it. I don't remember who,</p> <p>19 but I had to reassign it to the person. The</p> <p>20 sergeant called me, Sergeant Stack, and said</p> <p>21 such-and-such is working on it, so reassign</p> <p>22 Jamie's job to somebody else. There were</p> <p>23 lots of things like that. Because they</p> <p>24 might have gotten to the area early in the</p>
Page 60	Page 62
<p>1 Q. -- that would tell you whose case</p> <p>2 it was, and if there was a new warrant or</p> <p>3 something, that would have Officer Murphy's</p> <p>4 name on it indicating that he had done</p> <p>5 something already; is that correct?</p> <p>6 A. Yes.</p> <p>7 Q. When you see that, your practice</p> <p>8 would then be to make the assignment back to</p> <p>9 Officer Murphy?</p> <p>10 A. Yes.</p> <p>11 Q. How would it come about that</p> <p>12 another officer, Spalding or Echeverria,</p> <p>13 would be assigned a homicide that had been</p> <p>14 worked by another officer?</p> <p>15 A. I don't know if it was a homicide.</p> <p>16 Q. Well, even if it wasn't a</p> <p>17 homicide, in other words, how would a top</p> <p>18 five assignment go out?</p> <p>19 A. Human error.</p> <p>20 Q. So you don't know, but you are</p> <p>21 speculating that someone didn't see the name</p> <p>22 of the officer that had previously worked on</p> <p>23 the assignment; is that correct?</p> <p>24 A. Yes.</p>	<p>1 morning and started talking to a detective</p> <p>2 and started picking up the job, but just</p> <p>3 didn't -- when I send out my assignments,</p> <p>4 when I would do them, everybody saw</p> <p>5 everybody's assignment.</p> <p>6 So, let's say, I gave Jamie an</p> <p>7 assignment and somebody else was working on</p> <p>8 it, then they would call me and say, oh, I</p> <p>9 am already working on that. You know, this</p> <p>10 way, everybody could see what everybody was</p> <p>11 doing. And if I didn't know, I didn't know.</p> <p>12 I am here. They are at the area.</p> <p>13 Q. Do you recall Sergeant Barnes ever</p> <p>14 calling and instructing you or Jan to</p> <p>15 reassign a top five?</p> <p>16 A. That would be for Jan, but that</p> <p>17 one conversation that we previously</p> <p>18 discussed already.</p> <p>19 Q. I guess my question is other than</p> <p>20 that conversation, do you recall any other</p> <p>21 time where Sergeant Barnes called and</p> <p>22 instructed you to reassign a case? You or</p> <p>23 Jan?</p> <p>24 A. Not me. I can't speak for Jan.</p>

Page 63	Page 65
<p>1        Q. Did Jan ever tell you that she had  2        been instructed to give Shannon and Danny  3        dead-end assignments?  4        A. No. Sorry, no.  5        Q. What would you consider a dead-end  6        assignment in Fugitive Apprehension?  7        A. I think they are all pretty  8        important assignments.  9        Q. Is there a difference in -- I  10      don't know -- prestige between a top five  11      assignment and, say, a misdemeanor?  12      A. Are you asking that to me as a  13      person to my --  14      Q. As a police officer with knowledge  15      of the way things were handled in Fugitive  16      Apprehension.  17      A. I don't understand the question.  18      MS. DAVIS: Objection; calls for  19      speculation.  20      BY MR. TAREN:  21      Q. Let me ask you this: Do you know  22      what I mean when I say dead-end assignment?  23      A. No, I don't know what you mean by  24      dead-end.</p>	<p>1        Q. Do you recall Jan Hanna typing a  2        to/from to have Danny assigned to third  3        watch due to family reasons?  4        A. I don't recall that.  5        Q. Did you ever have any discussions  6        with Jan about that?  7        A. Not that I can recall or remember.  8        Q. Were you present at a meeting in  9        June of 2012 with Lieutenant Cesario in  10      which Danny and Shannon were discussed?  11      A. Not that I recall.  12      Q. If it wasn't June of 2012, at any  13      other time, at a meeting with Lieutenant  14      Cesario where either Danny or Shannon were  15      discussed?  16      A. Not that I can recall.  17      Q. Did you ever hear from any source  18      that officers were instructed not to provide  19      backup for either Shannon or Danny?  20      A. No.  21      Q. Did you ever hear from any source  22      that officers were instructed by anyone not  23      to work with Danny or Shannon?  24      A. No.</p>
Page 64	Page 66
<p>1        Q. Were there any assignments in  2        Fugitive Apprehension that, to your  3        knowledge, officers didn't want?  4        A. That they didn't want?  5        Q. Right.  6        A. No. They are all important. They  7        are warrants. They are investigative  8        alerts. You want to find the bad guy.  9        Q. So in your experience at Fugitive  10      Apprehension, officers were just as happy to  11      have a homicide or burglary as they would a  12      misdemeanor warrant where the individual was  13      either dead or already in jail?  14      A. I don't understand.  15      Q. Did any police officer in Fugitive  16      Apprehension ever complain to you about an  17      assignment?  18      A. No. Not -- no.  19      Q. No?  20      A. Not that I can recall that they  21      complained.  22      Q. At some point you recall that  23      Danny was assigned to third watch?  24      A. He was on Sergeant Mills' team.</p>	<p>1        Q. Did you ever observe either  2        Ms. Spalding or Mr. Echeverria treated  3        differently in the Fugitive Apprehension  4        unit from any other officer?  5        A. Not that I can recall.  6        Q. I asked you about conversations  7        that you heard about either of the  8        Plaintiffs being in IAD. Other than what  9        you have already told us, did you ever hear  10      any rumors from other officers concerning  11      Danny or Shannon's past at IAD?  12      A. Not that I recall.  13      Q. Are you familiar with practices of  14      the Fugitive Apprehension unit regarding the  15      listing of officers on arrest reports?  16      A. Arrest reports?  17      Q. Right.  18      A. Well, I have seen arrest reports,  19      but I am not --  20      Q. Did you ever observe or become  21      aware of an officer being listed on a police  22      report even when they were not present at  23      the scene?  24      A. Did I?</p>

Page 67	Page 69
<p>1       Q. Yes.</p> <p>2       A. Wait, I don't understand the</p> <p>3       question.</p> <p>4       Q. Let me ask this: What officers</p> <p>5       are, to your knowledge, supposed to be</p> <p>6       listed on an arrest report? There is an</p> <p>7       arresting officer, correct?</p> <p>8       A. Yes.</p> <p>9       Q. And other officers who are</p> <p>10      participating in the arrest, are their names</p> <p>11      customarily found on the arrest report?</p> <p>12      A. I wouldn't look for that on an</p> <p>13      arrest report. That wouldn't detail my job</p> <p>14      except for the arresting officers</p> <p>15      themselves.</p> <p>16      Q. So do officers get some kind of a</p> <p>17      statistic that is helpful for their careers</p> <p>18      with regard to arrests made or participation</p> <p>19      in arrests?</p> <p>20      A. Statistics?</p> <p>21      Q. Yes.</p> <p>22      A. That wouldn't be in my -- I would</p> <p>23      have no reason to know that in my position.</p> <p>24      Q. So you had nothing to do with</p>	<p>1       BY MR. TAREN:</p> <p>2       Q. Did you ever hear about any</p> <p>3       incidents in Fugitive Apprehension where an</p> <p>4       officer was criticized or disciplined or</p> <p>5       investigated for having their name on an</p> <p>6       arrest report that they weren't involved in?</p> <p>7       A. I am trying to understand what you</p> <p>8       are trying to say. Can you simplify that?</p> <p>9       Q. Well, let me make it a little more</p> <p>10      specific.</p> <p>11      A. It's kind of a long --</p> <p>12      Q. Are you aware of any officers</p> <p>13      receiving a CR number on a case where her</p> <p>14      name appeared on an arrest but she had not</p> <p>15      been present, actually present for the</p> <p>16      arrest?</p> <p>17      A. No, I am not aware of that.</p> <p>18      Q. And to be a little bit more</p> <p>19      specific, did you ever hear about an</p> <p>20      occasion where Roxanne Bilarceck (phonetic)</p> <p>21      received a CR number on a case?</p> <p>22      A. Roxy got a CR number?</p> <p>23      Q. I am just asking if this is</p> <p>24      anything you know about?</p>
<p>1       compiling or reviewing an officer's arrest</p> <p>2       stats; is that correct?</p> <p>3       A. Not their stats, no.</p> <p>4       Q. What did you compile with regard</p> <p>5       to officer's performance? Anything?</p> <p>6       A. Compile their performance?</p> <p>7       Q. Yes.</p> <p>8       A. No, I didn't compile their</p> <p>9       performance.</p> <p>10      Q. So you have no knowledge one way</p> <p>11      or the other whether officers in Fugitive</p> <p>12      Apprehension were bolstering each other's</p> <p>13      stats by putting people's names on arrest</p> <p>14      reports even if they weren't involved in</p> <p>15      arrests, is that your testimony?</p> <p>16      A. What's the question?</p> <p>17      MR. TAREN: Would you read that</p> <p>18      back, please.</p> <p>19           (Whereupon, the record was</p> <p>20           read as requested.)</p> <p>21      THE WITNESS: I have no knowledge</p> <p>22      about them putting each other on arrest</p> <p>23      reports.</p>	<p>1       A. No, it's nothing I know about.</p> <p>2       Q. Did you ever hear from any source</p> <p>3       that Shannon Spalding had been banned from</p> <p>4       the Homan Square building?</p> <p>5       A. No.</p> <p>6       Q. Did you ever hear from any source</p> <p>7       that Shannon had been banned or prohibited</p> <p>8       from being any place, any office of the</p> <p>9       Chicago Police Department?</p> <p>10      A. Not that I heard.</p> <p>11      Q. What is the Accurint and Leads</p> <p>12      2000 database?</p> <p>13      A. A Leads 2000 database is</p> <p>14      information based on the Secretary of State</p> <p>15      so drivers licenses, vehicles. Accurint</p> <p>16      is -- it's kind of hard to describe. It's</p> <p>17      more of a background of somebody. Something</p> <p>18      maybe you would pay for online, something</p> <p>19      like that. But it's -- I think it's only</p> <p>20      offered to police, but I am not sure about</p> <p>21      that.</p> <p>22      Q. To your knowledge are these</p> <p>23      databases that police officers in Fugitive</p> <p>24      Apprehension had access to?</p>

<p>1        A. Accurint everybody -- you are only      2 limited to so many accounts per each unit.      3 So if we had three accounts, which we did,      4 there was a password on a board that      5 everybody could see it go into that      6 database. So we had a board with the      7 password to Accurint.</p> <p>8        Leads 2000, which I don't even      9 have. You have to pass a test. If you      10 passed your test, you could be qualified for      11 Leads 2000.</p>	<p>1        A. I am sure he confirmed if you took      2 your test somewhere else and then you      3 would --</p> <p>4        Q. And then you have your own      5 password or user name?</p> <p>6        A. Yes.</p> <p>7        Q. You say you don't have access to      8 Leads 2000?</p> <p>9        A. Uh-uh.</p> <p>10      Q. Correct?</p> <p>11      A. No.</p> <p>12      Q. Do you know how many of the      13 officers in Fugitive Apprehension had access      14 to Leads 2000 and how many did not?</p> <p>15      A. No.</p> <p>16      Q. Do you know whether it was an      17 important database in order to assist them      18 to do their jobs?</p> <p>19      A. Important or --</p> <p>20      Q. Or useful? How about useful?</p> <p>21      A. Useful. Useful would be a word.</p> <p>22      Q. Did you ever hear from any source      23 that Danny or Shannon were not to be given      24 access to the Leads 2000 database?</p>
<p>1        Leads 2000.</p> <p>2        Q. Do you know how an officer would      3 go about taking the Leads 2000 test?</p> <p>4        A. I think it's -- I am not sure. I      5 mean, it's online. It's on our desktop      6 somewhere to take it, I think. I am not      7 sure, but I think it's on our desk top. I      8 don't take it.</p> <p>9        Q. Do you know whether either a      10 sergeant or Lieutenant Cesario or the      11 commander had to authorize an officer to      12 take that test?</p> <p>13      A. Not that I know of. You could      14 just take the test yourself.</p> <p>15      Q. I am just trying to find out the      16 procedure.</p> <p>17      A. Yes.</p> <p>18      Q. You could take the test, and then      19 go to Officer Culhane --</p> <p>20      A. Yes.</p> <p>21      Q. -- after you have passed it, and      22 then you would be given access to the Leads      23 2000? Is that your understanding how it      24 worked?</p>	<p>1        Page 72</p> <p>2        Page 74</p> <p>1        A. No.</p> <p>2        Q. And what about to the Accurint      3 database, did you ever hear from any source      4 that they were not supposed to have access      5 to that database?</p> <p>6        A. No, I did not.</p> <p>7        Q. So is it your testimony that      8 anybody with a computer in Fugitive      9 Apprehension could just look at the      10 blackboard, get the password and utilize the      11 Accurint database?</p> <p>12      A. From my knowledge, yes.</p> <p>13      MR. TAREN: You want to take a      14 break, by the way?</p> <p>15      MS. DAVIS: Yes. Let's take a      16 break.</p> <p>17      (Whereupon, a break was taken      18 from 11:19 to 11:30 a.m.)</p> <p>19      MR. TAREN: Back on the record.</p> <p>20      BY MR. TAREN:</p> <p>21      Q. And you understand that you remain      22 under oath?</p> <p>23      A. Yes.</p> <p>24      Q. One thing of clarification. Do</p>

Page 75	Page 77
<p>1 you know whether the password to the  2 Accurint database is on the blackboard  3 currently?</p> <p>4 A. I think they have it out -- I am  5 not sure, but usually they have it listed  6 outside the fugitive door. I don't really  7 look at it.</p> <p>8 Q. What would that be listed on?</p> <p>9 A. It's like a cork board.</p> <p>10 Q. So it's not a chalk?</p> <p>11 A. It used to be a white board.</p> <p>12 Q. All right.</p> <p>13 A. And when we were at Homan. But I  14 think -- I am not sure. I don't even look  15 up there, to tell you the truth. It would  16 be there, if anywhere, I would just assume.  17 I am assuming. I don't really pay  18 attention. Sorry.</p> <p>19 Q. Are you deputized?</p> <p>20 A. No.</p> <p>21 Q. Have you ever been?</p> <p>22 A. No.</p> <p>23 Q. And I had asked you about whether  24 you ever heard any conversations from</p>	<p>1 A. No.</p> <p>2 Q. How did you learn that Danny and  3 Shannon had filed a lawsuit against the  4 Chicago Police Department?</p> <p>5 A. I was watching TV, and I saw them  6 on TV.</p> <p>7 Q. Had you been told in advance by  8 anyone that they were going to be on TV?</p> <p>9 A. I don't recall that, but I  10 remember watching it. I was -- I remember  11 seeing them on TV. And I think I said -- I  12 might have texted Jan and said, Danny and  13 Shannon are on TV.</p> <p>14 Q. Do you think you did?</p> <p>15 A. Jan, yeah.</p> <p>16 Q. Text her?</p> <p>17 A. Uh-huh.</p> <p>18 Q. What phone did you text from?</p> <p>19 A. My personal phone.</p> <p>20 Q. What's that phone number?</p> <p>21 A. (773) 315-1532.</p> <p>22 Q. How often did you send a text to  23 Jan?</p> <p>24 A. Did I?</p>
<p>1 Lieutenant Cesario about Shannon or Danny  2 having been in IAD. Did you ever hear any  3 conversations from Commander Salemme about  4 Shannon or Danny having been in IAD?</p> <p>5 A. I don't recall any -- Commander  6 Salemme ever even talking about it.</p> <p>7 Q. Do you recall Commander Salemme  8 talking about anything to do with Danny or  9 Shannon?</p> <p>10 A. Just that we were getting two new  11 people.</p> <p>12 Q. That's the only thing you do  13 recall?</p> <p>14 A. Yes.</p> <p>15 Q. Were you familiar with the  16 procedures regarding the check-off at the  17 end of the day when an officer was in the  18 field?</p> <p>19 A. No.</p> <p>20 Q. So you don't have any information  21 about whether Fugitive Apprehension members  22 were allowed to report and check off  23 directly from the field or whether they had  24 to return to the unit?</p>	<p>1 Q. Yes.</p> <p>2 A. We'd text and back all the time.</p> <p>3 Q. Do you recall what number you  4 would text it to?</p> <p>5 A. No. I am sure it's in my phone.</p> <p>6 Q. Do you have your phone with you?</p> <p>7 A. Yes.</p> <p>8 Q. Good. Can you tell me?</p> <p>9 A. (773) 620-9337.</p> <p>10 Q. Do you still have that text on the  11 phone?</p> <p>12 A. No.</p> <p>13 Q. What kind of phone is it?</p> <p>14 A. A Samsung.</p> <p>15 Q. And who is your provider service  16 provider?</p> <p>17 A. AT&amp;T.</p> <p>18 Q. I am going to ask you to please  19 preserve any and all data, including texts  20 that are on that phone, pending a subpoena  21 for the data.</p> <p>22 Who else have you,  23 from Fugitive Apprehension, have you ever  24 texted? And I am talking about the texts</p>

Page 79	Page 81
<p>1 from you to them or from them to you?</p> <p>2 A. Maureen Kallus. She is the one I</p> <p>3 worked with.</p> <p>4 Q. Who else?</p> <p>5 A. Lieutenant Cesario.</p> <p>6 Q. When you texted Lieutenant</p> <p>7 Cesario, what number do you text to?</p> <p>8 A. Usually it's his BlackBerry.</p> <p>9 Q. Do you have that number?</p> <p>10 A. (312) 446-3059.</p> <p>11 Q. Is that a personal number?</p> <p>12 A. That's a work number.</p> <p>13 Q. Is there another number that you</p> <p>14 have texted to Lieutenant Cesario or</p> <p>15 received a text from?</p> <p>16 A. (773) 544-9710.</p> <p>17 Q. Is that a personal number?</p> <p>18 A. That's the personal one.</p> <p>19 Q. You have sent or received texts</p> <p>20 from Lieutenant Cesario from or to that</p> <p>21 number, the 773 number that you just gave?</p> <p>22 A. Yes.</p> <p>23 Q. And have you ever sent or received</p> <p>24 any texts from or to Lieutenant Cesario that</p>	<p>1 A. And there is one named Bob.</p> <p>2 Q. I am really more concerned -- I</p> <p>3 mean, actually my only concern has --</p> <p>4 A. It's kind of personal.</p> <p>5 Q. -- any texts that has to deal</p> <p>6 with --</p> <p>7 A. Nothing to do with this case.</p> <p>8 Q. But you have already told me that</p> <p>9 you sent a text to Jan Hanna after you heard</p> <p>10 about or saw information about the lawsuit,</p> <p>11 correct?</p> <p>12 A. That I saw her on TV.</p> <p>13 Q. On TV. Do you recall what your</p> <p>14 text said?</p> <p>15 A. No, I don't recall.</p> <p>16 Q. Do you know what she said back to</p> <p>17 you?</p> <p>18 A. No, I don't recall that.</p> <p>19 Q. Did you ever send or receive any</p> <p>20 texts from Commander Salemme?</p> <p>21 A. I am sure.</p> <p>22 In regards to this case are</p> <p>23 you asking me?</p> <p>24 Q. In regards to anything to do with</p>
<p>1 had anything to do with Danny or Shannon or</p> <p>2 the lawsuit they filed?</p> <p>3 A. Not that I recall.</p> <p>4 Q. So it's possible that you have?</p> <p>5 A. I don't know.</p> <p>6 Q. You mentioned something while you</p> <p>7 were looking about a group text; is that</p> <p>8 correct?</p> <p>9 A. Yes. I have pictures of minions</p> <p>10 with me and Mo.</p> <p>11 Q. I am sorry, pictures of what?</p> <p>12 A. Of minions.</p> <p>13 Q. I know what a minion is.</p> <p>14 A. Sorry.</p> <p>15 Q. Do you have any text groups that</p> <p>16 include people from Fugitive Apprehension?</p> <p>17 A. They are just me and Maureen and</p> <p>18 Lieutenant Cesario. It's minions.</p> <p>19 Q. I hate to ask this, but believe it</p> <p>20 or not, one of the last cases I was involved</p> <p>21 in, a minion played a role, what is the</p> <p>22 minion about?</p> <p>23 A. A Black Hawks minion.</p> <p>24 Q. Good.</p>	<p>1 Danny or Shannon?</p> <p>2 A. No, not that I can recall.</p> <p>3 Q. So that's possible also; is that</p> <p>4 correct?</p> <p>5 A. About them being on TV, you mean?</p> <p>6 Q. Sure.</p> <p>7 A. That could be possible.</p> <p>8 Q. Tell me what numbers you would</p> <p>9 have sent or received from --</p> <p>10 A. I shut it off.</p> <p>11 Q. -- from Commander Salemme?</p> <p>12 A. I know it's his BlackBerry number.</p> <p>13 I don't know his BlackBerry number.</p> <p>14 Q. That's okay. While we are</p> <p>15 waiting, is this the same phone that you had</p> <p>16 in March of 2012?</p> <p>17 A. No.</p> <p>18 Q. What phone did you have in March</p> <p>19 of 2012?</p> <p>20 A. I don't know. It was one of those</p> <p>21 flip things.</p> <p>22 Q. A flip. Do you still have it?</p> <p>23 A. No.</p> <p>24 Q. When did you get this new phone?</p>

Page 83	Page 85
1        A. Last year.	1        you used texts with regard to your
2        Q. In 2014 at some point?	2        employment. Did these --
3        A. Yes. I think it was February	3        A. They -- my personal phone is my
4        of 2014.	4        personal phone. I mean, it wasn't in
5        Q. Did you have all the data on your	5        regards to my employment.
6        prior phone transferred to this phone?	6        Q. So when you were texting
7        A. No.	7        Lieutenant Cesario, what kind of matters did
8        Q. Was it the same service provider,	8        you text him about?
9        AT&T?	9        A. Probably jokes.
10      A. I don't know. I think so. I	10      Q. What kind of jokes?
11      think so. I am not sure.	11      A. Maybe something we saw. We used
12      Q. What did you do with your old	12      to call Mo "Face." So if I would see a face
13      phone?	13      in a waiting room, I would take a picture of
14      A. Smashed it.	14      a face, I would be like Mo.
15      Q. Do you still have it at home	15      Q. I don't get that.
16      smashed?	16      A. You have to be there.
17      A. No. No, I don't.	17      Q. What does that mean, though?
18      Q. Did you dispose of it?	18      A. Face, a look on her face. We
19      A. Yes.	19      would call her "Face." It was a smiley
20      Q. When?	20      face.
21      A. Maybe I think I threw it in those	21      Q. The two of you had a friendly
22      Best Buy disposable bins maybe.	22      personal relationship, you and Lieutenant
23      Q. When was that?	23      Cesario; is that correct?
24      A. Maybe -- I don't know. I was	24      A. We were friendly being work
Page 84	Page 86
1        shopping, and we were dropping off like a	1        related. We are colleagues.
2        monitor, and I don't know what day it was.	2        Q. But I am asking that because --
3        I mean, it was probably soon after I got	3        A. Outside of work, no.
4        another phone.	4        Q. What we are talking about is
5        Q. Did anyone ever instruct you to	5        outside of work, right?
6        review your text messages to see if there	6        A. No. We had no relationship
7        was anything that referenced Danny	7        outside of work.
8        Echeverria or Shannon Spalding?	8        Q. Good enough to text each other
9        A. No. Just you.	9        jokes, correct?
10      Q. Just today; is that correct?	10      A. I guess that would be regarding
11      A. Yes.	11      things that you saw.
12      Q. Did anyone ever instruct you to	12      Q. And what about Commander Salemme,
13      preserve any information that you had,	13      what kind of matters would you text him?
14      including text messages, that referenced	14      A. Oh, his were mostly meetings or
15      Shannon or Danny?	15      regarding going to work, or if I had a
16      A. No.	16      situation, maybe my kid was sick. That was
17      Q. Is it possible that you have --	17      more when I was in the area, but not when I
18      that there were texts on your prior	18      was working for Lieutenant Cesario.
19      telephone, whether preserved or deleted,	19      Anything that was related, it would probably
20      between you and Jan or Cesario or Salemme	20      be NATO stuff.
21      that referenced the lawsuit that was filed?	21      Q. Primarily work-related texts; is
22      A. Not that I would recall or even	22      that correct?
23      think about.	23      A. Definitely.
24      Q. But I am trying to understand how	24      Q. Do you have the number that you

Page 87	Page 89
<p>1 texted with Commander Salemme?</p> <p>2 A. Let me see, (312) 907-1723.</p> <p>3 Q. Is there a personal number?</p> <p>4 By the way, is that a work</p> <p>5 number?</p> <p>6 A. Yes, that's a work number.</p> <p>7 Q. Does he have a personal number?</p> <p>8 A. (312) 593-3584.</p> <p>9 Q. To your knowledge, did you ever</p> <p>10 send or receive a text from that number?</p> <p>11 A. I could have from work. I don't</p> <p>12 -- it's not something that I -- he is my</p> <p>13 boss.</p> <p>14 Q. Are there any other members of the</p> <p>15 Fugitive Apprehension unit that you sent or</p> <p>16 received texts from?</p> <p>17 A. I am sure Sergeant Schlatto</p> <p>18 (phonetic) or Sergeant -- if I need</p> <p>19 something from them regarding paperwork.</p> <p>20 Q. How about Sergeant Barnes?</p> <p>21 A. Sergeant Barnes I needed paperwork</p> <p>22 from.</p> <p>23 Q. What number did you text to or</p> <p>24 from with regard to him?</p>	<p>1 Q. You made mention earlier about</p> <p>2 seeing Jan Hanna on television?</p> <p>3 A. Yes, I did.</p> <p>4 Q. After you saw Jan Hanna, did you</p> <p>5 send any texts to anyone?</p> <p>6 A. No, not that I remember that I</p> <p>7 recall. I might -- I don't recall.</p> <p>8 Q. Do you recall whether you received</p> <p>9 any texts from anyone after Ms. Hanna was on</p> <p>10 television?</p> <p>11 A. No, I don't recall.</p> <p>12 Q. Do you have a personal email?</p> <p>13 A. A personal one?</p> <p>14 Q. Yes.</p> <p>15 A. Yes.</p> <p>16 Q. What is it?</p> <p>17 A. Coleencc@yahoo.com.</p> <p>18 Q. Have you ever sent or received an</p> <p>19 email from anyone that makes reference to</p> <p>20 Shannon Spalding, Danny Echeverria or the</p> <p>21 lawsuit?</p> <p>22 A. I don't recall. I don't remember.</p> <p>23 Q. How about with regard to either</p> <p>24 Jan Hanna's appearance on television or</p>
<p>1 A. I don't even know if I saved that</p> <p>2 number. It would be on a phone list. I</p> <p>3 will do it from there. They are not my</p> <p>4 personal boss usually. I don't know if I</p> <p>5 would have saved Barnes. No. I don't have</p> <p>6 Sergeant Barnes.</p> <p>7 Q. How about Sergeant Mills?</p> <p>8 A. Sergeant Mills, I might have his.</p> <p>9 He would have been one of the sergeants that</p> <p>10 I worked with on his stuff.</p> <p>11 There he is. (773) 505-1887.</p> <p>12 Q. Is that to your knowledge a</p> <p>13 personal cell?</p> <p>14 A. That's the one he always uses. I</p> <p>15 have no idea.</p> <p>16 Q. Do you have any recollection of</p> <p>17 having sent or received any texts with</p> <p>18 regard to Sergeant Mills that had anything</p> <p>19 to do with Ms. Spalding or Mr. Echeverria or</p> <p>20 their lawsuit?</p> <p>21 A. I don't remember. I don't recall</p> <p>22 it.</p> <p>23 Q. You are not sure; is that correct?</p> <p>24 A. I am not sure.</p>	<p>1 anything that Jan Hanna said concerning</p> <p>2 Ms. Spalding or Mr. Echeverria, did you ever</p> <p>3 receive or send any emails?</p> <p>4 A. I don't recall that.</p> <p>5 Q. I would also ask you to preserve</p> <p>6 any and all emails that you may have that</p> <p>7 have -- well, just in general until we</p> <p>8 determine whether there is anything relevant</p> <p>9 to this case.</p> <p>10 Were you ever instructed by</p> <p>11 anyone to preserve any of your emails that</p> <p>12 may have had anything to do with Shannon</p> <p>13 Spalding, Danny Echeverria or this case?</p> <p>14 A. No. Just by you.</p> <p>15 Q. And I take it, nobody has asked</p> <p>16 you to search those emails to see if there</p> <p>17 was any reference to either of my clients;</p> <p>18 is that right?</p> <p>19 A. No, nobody asked me.</p> <p>20 Q. We have been talking about text</p> <p>21 messages that may have gone back and forth</p> <p>22 between you and some of your bosses. Did</p> <p>23 you ever email Lieutenant Cesario, Commander</p> <p>24 Salemme?</p>

Page 91	Page 93
<p>1        A. Have I ever emailed them?</p> <p>2        Q. Sent emails to them or received</p> <p>3        emails back to your private email.</p> <p>4        A. My private one?</p> <p>5        Q. Yes. The yahoo.com one?</p> <p>6        A. No.</p> <p>7        Q. You have a Chicago Police</p> <p>8        Department email?</p> <p>9        A. Yes.</p> <p>10       Q. What is that?</p> <p>11       A. Coleen.dougan@Chicagopolice.org.</p> <p>12       Q. To your knowledge, have you ever</p> <p>13       sent or received an email to or from that</p> <p>14       address that has anything to do with Shannon</p> <p>15       Spalding or Danny Echeverria or any of the</p> <p>16       allegations of their lawsuit?</p> <p>17       A. I don't recall.</p> <p>18       Q. So that's possible; is that</p> <p>19       correct?</p> <p>20       A. I don't recall.</p> <p>21       MS. DAVIS: Objection to the form</p> <p>22       of the question.</p> <p>23       BY MR. TAREN:</p> <p>24       Q. Were you involved in any way in</p>	<p>1        had anything to do with why they were</p> <p>2        assigned away from Sergeant Barnes?</p> <p>3        A. That I don't recall any discussion</p> <p>4        that wouldn't involve me.</p> <p>5        Q. So you didn't -- and that would</p> <p>6        include overhearing any discussions?</p> <p>7        A. Not that I recall, or that comes</p> <p>8        to my memory.</p> <p>9        Q. As you sit here today, do you know</p> <p>10       why that assignment, reassignment was made?</p> <p>11       A. No, I don't.</p> <p>12       Q. I'd like to switch gears here a</p> <p>13       little bit. I'd like to direct your</p> <p>14       attention now to an incident which took</p> <p>15       place around March 29th of 2013 when you</p> <p>16       thought you heard Shannon Spalding on the</p> <p>17       telephone with Sergeant Mills. Do you</p> <p>18       recall that?</p> <p>19       A. I recall it, yes. Yes.</p> <p>20       Q. Have you reviewed the report of</p> <p>21       the CR investigation with regard to that</p> <p>22       incident?</p> <p>23       A. No.</p> <p>24       Q. Ever?</p>
<p>1        any of the discussions concerning the</p> <p>2        reassignment of Danny or Shannon to Sergeant</p> <p>3        Mills from Sergeant Barnes?</p> <p>4        A. No, I wasn't.</p> <p>5        Q. When did you find out about that?</p> <p>6        A. About?</p> <p>7        Q. About the reassignment to days --</p> <p>8        strike that.</p> <p>9        Their reassignment to Sergeant</p> <p>10       Mills' team?</p> <p>11       MS. DAVIS: Objection to the form</p> <p>12       of the question.</p> <p>13       THE WITNESS: I don't -- when was</p> <p>14       it? There is not a whole question there.</p> <p>15       BY MR. TAREN:</p> <p>16       Q. At some point, Ms. Spalding and</p> <p>17       Mr. Echeverria were assigned to report to</p> <p>18       Sergeant Tom Mills, correct?</p> <p>19       A. Yes.</p> <p>20       Q. Do you recall when that was?</p> <p>21       A. No, I don't recall.</p> <p>22       Q. Did you ever hear any discussions</p> <p>23       from anyone, from Sergeant Barnes, from</p> <p>24       Lieutenant Cesario, Commander Salemme that</p>	<p>1        A. No.</p> <p>2        Q. Okay. Tell me what happened.</p> <p>3        MS. DAVIS: Objection to the form</p> <p>4        of the question.</p> <p>5        MR. TAREN: You can answer.</p> <p>6        THE WITNESS: I am trying to give</p> <p>7        you an exact.</p> <p>8        BY MR. TAREN:</p> <p>9        Q. Take your time.</p> <p>10       A. Shannon, I believe, was texting me</p> <p>11       in the morning asking me what time I would</p> <p>12       get to work, and I don't remember what I</p> <p>13       told her. And then I went upstairs. I was</p> <p>14       coming up the front hallway. There is a</p> <p>15       back hallway and there is a front hallway.</p> <p>16       And when I was coming up the front hallway</p> <p>17       in the corridor, there is three chairs that</p> <p>18       are attached to each other. And Jan was</p> <p>19       sitting on this chair, and there was nobody</p> <p>20       on this chair, and Shannon was sitting on</p> <p>21       this chair sideways, not facing forward.</p> <p>22       Q. Okay.</p> <p>23       A. Jan was facing forward and had her</p> <p>24       phone like this. So as I was coming up the</p>

Page 95	Page 97
<p>1 stairs, Shannon had something in her hand,  2 but I heard Sergeant Mills's voice. And I  3 thought, why is Sergeant Mills here in the  4 morning? It was loud and it was boisterous,  5 and I am thinking that was Sergeant Mills as  6 I am walking up the stairs here.</p> <p>7 So when I got to the top of  8 the stairs, I kind of looked at Shannon and  9 Jan, and I was like, where is Sergeant  10 Mills? Because it was loud. So I walked  11 over to my office, and I don't remember the  12 details of what I heard at this moment. And  13 I was kind of confused, in my own mind, did  14 he leave her a message like that? Did she  15 record him?</p> <p>16 And then Jan came into my  17 office and sat there. And I said, was  18 Shannon recording Sergeant Mills? I go,  19 what was that? She goes, I didn't hear it.  20 And then she proceeded to repeat whatever it  21 was I heard. So I said, okay, and asked me  22 if that's basically what I heard, and I said  23 yeah. But you didn't hear it from what's in  24 her hand?</p>	<p>1 there at 8:00.  2 Q. When you observed Jan Hanna that  3 morning, did she have headphones on?  4 A. No. She had her telephone by her  5 ear.  6 Q. Was she talking on the phone,  7 could you tell?  8 A. Before that, she was asking me  9 where I was. I just kind of looked over  10 because I was looking for Sergeant Mills.  11 Q. So during the time that you heard  12 Sergeant Mills' voice, you were walking up  13 the stairs; is that correct?  14 A. I was walking up the front stairs.  15 Q. Did you ever stop and linger to  16 try and eavesdrop on what was being said?  17 A. It was loud and boisterous. I  18 remember hearing the words. I can't repeat  19 them right now, but it was a while ago.  20 Q. I understand. My question was  21 that did you hear this in passing, or did  22 you stop and eavesdrop on what was being  23 said?  24 A. I kind of stopped, listened and</p>
<p>1 So I kind of pondered with it  2 for a little while, and I thought whatever  3 it was wasn't right.  4 And when I left, I saw Steven  5 Becker who is on Mills' team who I had known  6 previously from the area. I said maybe you  7 should -- I don't know if he left her a  8 voicemail, or she is recording him but  9 maybe, you know, tell Sergeant Mills watch  10 what he says, and then I left.</p> <p>11 Q. This took place on March 29th of  12 2013?  13 A. I don't recall the exact date.  14 Q. Do you recall what time of the day  15 it was?  16 A. When I left work?  17 Q. No. When you first --  18 A. It was early in the morning.  19 Q. Around 7:30 or so?  20 A. I don't know.  21 Q. What time do you usually get to  22 work?  23 A. Between 6:00 and -- if I have to  24 take my daughter to school, I could get</p>	<p>1 looked to see where he was.  2 Q. For how many seconds did you hear  3 his voice?  4 A. I don't know.  5 Q. How many stairs were there?  6 A. I don't know.  7 Q. Do you think we are talking about  8 like five seconds' worth of listening?  9 A. Maybe ten seconds I would have  10 been listening.  11 Q. During that time, you were getting  12 further and further away from the source; is  13 that correct?  14 A. No. She shut it off when I got  15 upstairs.  16 Q. Did you ever make eye contact with  17 Shannon during that period of time?  18 A. Yes, yes. I looked right at her.  19 Q. And she looked at you?  20 A. Yes.  21 Q. And did she say anything to you?  22 A. No.  23 Q. So are you telling me -- first of  24 all, did you recognize the voice on the</p>

Page 99	Page 101
<p>1 device that you heard as Thomas Mills?</p> <p>2 A. Yes.</p> <p>3 Q. Conclusively?</p> <p>4 A. Yes.</p> <p>5 Q. And did you tell that to IAD at</p> <p>6 some point that you conclusively recognized</p> <p>7 Thomas Mills' voice?</p> <p>8 A. Yes.</p> <p>9 Q. Did you recognize the device that</p> <p>10 the voice was coming from?</p> <p>11 A. She had it in her hand. I didn't</p> <p>12 -- I might have thought it would be a phone.</p> <p>13 It could be -- it was black. That's all I</p> <p>14 saw.</p> <p>15 Q. My question is did you recognize</p> <p>16 the device as a telephone?</p> <p>17 A. I didn't see the top of it.</p> <p>18 Q. So is your answer no?</p> <p>19 A. No.</p> <p>20 Q. Did you think at that time that</p> <p>21 there was something odd about Ms. Spalding</p> <p>22 speaking with Thomas Mills that morning?</p> <p>23 A. I thought it was odd that he</p> <p>24 wasn't there when I got to the top of the</p>	<p>1 A. At the time, yes.</p> <p>2 Q. How many words did you hear?</p> <p>3 A. I don't recall.</p> <p>4 Q. Is it your testimony that you</p> <p>5 currently have no recollection of what you</p> <p>6 heard at that time?</p> <p>7 A. At this moment.</p> <p>8 Q. Right now you don't know what was</p> <p>9 said?</p> <p>10 A. I don't remember what was said,</p> <p>11 no.</p> <p>12 Q. But you heard Tom Mills say</p> <p>13 something, and then I believe you testified</p> <p>14 Jan Hanna came to your office and repeated</p> <p>15 what Tom Mills said?</p> <p>16 A. Yes.</p> <p>17 Q. And you don't recall what Jan</p> <p>18 Hanna said either; is that correct?</p> <p>19 A. Not at this time point, no.</p> <p>20 Q. What time did you speak with Steve</p> <p>21 Becker?</p> <p>22 A. Probably 4:00 or 5:00 o'clock.</p> <p>23 Q. Am I correct that at the time that</p> <p>24 you heard this incident, you had no idea</p>
<p>1 stairs.</p> <p>2 Q. Did you make any kind of</p> <p>3 determination of whether Ms. Spalding had</p> <p>4 this device on a speaker?</p> <p>5 A. I don't know.</p> <p>6 Q. You don't know, is that what you</p> <p>7 are saying?</p> <p>8 A. It was loud. I mean, I --</p> <p>9 Q. How is it that you knew it was</p> <p>10 coming from Ms. Spalding's device and not</p> <p>11 Ms. Hanna's device?</p> <p>12 A. I don't know.</p> <p>13 Q. So it could have been either one?</p> <p>14 A. It could have been either one.</p> <p>15 Q. Is it your testimony that at the</p> <p>16 time you heard the exact words that you</p> <p>17 believed Thomas Mills had said?</p> <p>18 MS DAVIS: Objection to the form</p> <p>19 of the question.</p> <p>20 BY MR. TAREN:</p> <p>21 Q. In other words, you could</p> <p>22 distinguish what was being said --</p> <p>23 A. Yes.</p> <p>24 Q. -- from the device, correct?</p>	<p>1 whether there was something illegal that had</p> <p>2 taken place; is that correct?</p> <p>3 MS. DAVIS: Objection to the form</p> <p>4 of the question.</p> <p>5 MR. TAREN: You can answer.</p> <p>6 THE WITNESS: That something</p> <p>7 illegal took place?</p> <p>8 BY MR. TAREN:</p> <p>9 Q. Right.</p> <p>10 A. A little more information here.</p> <p>11 Illegal regarding?</p> <p>12 Q. Anything.</p> <p>13 A. That it was illegal?</p> <p>14 Q. You didn't know what you heard,</p> <p>15 isn't that true, whether it was a recording,</p> <p>16 a speakerphone or something else?</p> <p>17 A. I just know he wasn't standing</p> <p>18 there when I came up, and I heard him.</p> <p>19 Q. Did you believe that prior to</p> <p>20 speaking to Steve Becker that something</p> <p>21 inappropriate had taken place with regard to</p> <p>22 what you had heard Tom Mills say?</p> <p>23 A. My personal belief?</p> <p>24 Q. Yes. At that time?</p>

	Page 103	Page 105
1	A. I don't really -- are you saying	1 A. Not that I recall.
2	was -- I don't -- sorry. Can you repeat it.	2 Q. And by the way, when you were
3	MS. DAVIS: I am going to object	3 speaking with Becker, nobody else was
4	to the form of the question.	4 present; is that correct?
5	(Whereupon, the record was	5 A. Correct.
6	read as requested.)	6 Q. Did you tell Becker that he,
7	THE WITNESS: Inappropriate? Most	7 Becker, needed to be careful about what he
8	likely. Illegal? I don't know. I am not a	8 said around Officer Spalding?
9	lawyer.	9 A. Not that I recall that he be
10	BY MR. TAREN:	10 careful.
11	Q. Prior to speaking to Steve Becker,	11 Q. Did you tell Becker to tell Mills
12	did you inform anyone about what you	12 to be careful what she said around Officer
13	believed you heard?	13 Spalding?
14	A. Jan Hanna.	14 A. That he should watch what he says.
15	Q. Anyone else?	15 Q. Are those your words?
16	A. Not that I can recall.	16 A. Those are my words?
17	Q. Did you talk to Lieutenant Cesario	17 Q. When you say, "he should watch
18	about this incident?	18 what he says," who did you refer to? "He,"
19	A. Not that I recall.	19 Becker?
20	Q. Did you talk to Commander Salemme	20 A. No. Sergeant Mills.
21	about this incident?	21 Q. Okay. So you told Becker that
22	A. At that moment?	22 Mills should watch what he says; is that
23	Q. At that moment.	23 correct?
24	A. No.	24 A. Yes.
	Page 104	Page 106
1	Q. And how about to Tom Mills?	1 Q. And what's the next thing that
2	A. At that moment, no.	2 happened?
3	Q. I know you talked to Tom Mills	3 A. I left for two days. It was a
4	later, correct?	4 weekend.
5	A. Yes.	5 Q. And then by the way, did you tell
6	Q. You never asked Steve Becker to	6 Becker that you thought you heard a
7	take out a CR number?	7 recording?
8	A. No.	8 A. I said, I heard -- I might have.
9	Q. And it wasn't your intent in	9 I don't remember. I heard Mills.
10	speaking to Steve Becker to instigate any	10 Q. That's what I am trying to find
11	kind of investigation, was it?	11 out, though. Did you say you heard Mills,
12	A. No.	12 or did you say you heard a recording or
13	Q. Did you tell that to Mr. Becker?	13 something else?
14	A. I didn't.	14 A. I don't remember my exact words.
15	Q. Did you ever contact IAD or any of	15 I said I heard Mills' voice.
16	your supervisors to complain about something	16 Q. Is there anything else that you
17	that you had heard with regard to this	17 said to Steve Becker or that he said to you
18	incident? You personally?	18 that you recall now?
19	A. Did I contact IAD?	19 A. Not that I recall.
20	Q. Yes.	20 Q. And I take it that you never told
21	A. No.	21 Steve Becker that the conversation you
22	Q. Did Officer Becker thank you for	22 overheard was illegally recorded, did you?
23	putting him on warning or say anything other	23 MS. DAVIS: Objection; asked and
24	than that he would let Mills know?	24 answered now several times.

	Page 107	Page 109
1	BY MR. TAREN: 2 Q. Did you? 3 A. That was the whole illegal thing, 4 right? 5 Q. Right. 6 A. Like I said, I don't recall saying 7 anything about an illegal recording. 8 Q. So when you came back to work 9 after the weekend, what was the next thing 10 that happened that had anything to do with 11 this incident? 12 A. I don't remember how it came up, 13 but I remember talking to Sergeant Mills and 14 him asking me what time I was working till, 15 that he wanted to speak with me. 16 Q. What did you tell him? 17 A. What time I was working till. 18 Q. Did you go speak with him? 19 A. I did. 20 Q. Where? 21 A. Right outside our office. 22 Q. Was anyone else present? 23 A. Sergeant Barnes came in for a 24 minute, but then he left, not during our	1 A. I don't recall that. 2 Q. Did you tell Tom Mills basically 3 what you had observed and what -- 4 A. What I just told you. 5 Q. What you just told me? Yes? 6 A. Yes. 7 Q. What did he say? 8 A. He just said, I will handle it. 9 Q. Did he tell you how he would 10 handle it? 11 A. No. 12 Q. Did he ask you any questions? 13 A. I remember telling him what I 14 heard but he said that's -- that's okay. 15 Q. That's what he said, "that's 16 okay"? 17 A. He said, "I'll handle it." 18 Q. You have to answer my question. 19 So when I said that's what he said "that's 20 okay" is your answer yes? 21 A. Yes. 22 Q. Was Sergeant Barnes in there, in 23 the room for any part of the conversation 24 that you were having with Sergeant Mills?
1	conversation. I don't remember that. He 2 was asking me something else regarding work. 3 Q. Tell me what Sergeant Mills said 4 to you and what you said to him? 5 A. I don't know verbatim what was 6 said. 7 Q. You were discussing the incident 8 that you believe you heard on March 29th 9 with Sergeant Mills; is that correct? 10 A. Yes. 11 Q. By the way, had he sent you an 12 email first asking you come over or asking 13 you what happened? 14 A. He didn't ask me what happened. 15 He just said, what time are you working 16 till? 17 Q. Was that in an email? 18 A. I don't think so. I don't recall 19 it being in an email. I remember being on 20 the phone. I don't remember an email. I 21 don't recall one. 22 Q. So did you recall telling Mike 23 Barz from IAD that Tom Mills had sent you an 24 email asking you what happened?	1 A. Not that part of the conversation, 2 no. 3 Q. Did Sergeant Mills tell you how he 4 would handle it? 5 MS DAVIS: Objection; asked and 6 answered. 7 THE WITNESS: No, he didn't say. 8 He just said, "I will handle it." 9 BY MR. TAREN: 10 Q. Did you tell Sergeant Mills about 11 your conversation with Jan Hanna? 12 A. No. 13 Q. Why not? 14 A. I don't know. I just didn't. 15 Q. Did you ask Sergeant Mills any 16 questions? 17 A. Not that I recall. 18 Q. What was the next thing that 19 occurred with regard to anything to do with 20 this incident? 21 MS. DAVIS: Objection to the form 22 of that question. 23 THE WITNESS: What do you mean? 24

	Page 111	Page 113
1	BY MR. TAREN: 2       Q. The next person you spoke to? 3       A. What's the next thing? Couple of 4 sergeants came into my office from IAD and 5 closed the door and told me to give them my 6 statement. 7       Q. Now the conversation you had with 8 Thomas Mills, was that on April 3rd? 9       A. I don't recall what date it was. 10      Q. So between the time you spoke with 11 Thomas Mills and the time you spoke with the 12 two sergeants from IAD, did you have any 13 conversations with anyone that had anything 14 to do with this March 29th incident? 15      A. With Jan. 16      Q. Do you recall talking to Jan about 17 it? 18      A. I somewhat recall. I mean, 19 little bits of it. 20      Q. Tell me the bits you recall. 21      A. I asked her how did she not hear 22 what I heard, and she said she didn't. And 23 I said, "Are you sure?" She said, "I was on 24 my phone." That's pretty much like.	1       Q. Did you ever send any texts or 2 emails to Thomas Mills about the incident? 3       A. About the incident? 4       Q. Yes. Or anything to do with the 5 CR. 6       A. Not that I recall. 7       Q. How did you find out that Officers 8 Barz and Muscolino wanted to take your 9 statement? 10      A. Came into my office and shut the 11 door. 12      Q. Is that the first information you 13 were given that someone had taken out a CR 14 number? 15      A. Yes. 16      Q. Was this on April 9th? 17      A. I don't remember the date. 18      Q. First tell me what either Officer 19 Barz or Officer Muscolino said to you when 20 they came into your office? And if you can 21 identify which ones said that, I would 22 appreciate it. If not, give me what you 23 recall. 24      A. I only talked to Sergeant Barnes,
1	Q. Did you doubt that for some 2 reason? 3       A. Of course, I doubted that. She 4 was sitting there. 5       Q. Did you tell her about your 6 conversation with Tom Mills? 7       A. I don't remember. I could have 8 told her about my conversation. 9       Q. Have you ever sent any texts or 10 emails that have anything to do with this 11 incident to anyone? 12      MS. DAVIS: Objection; asked and 13 answered. 14      THE WITNESS: Which incident? 15      BY MR. TAREN: 16      Q. The March 29th. 17      A. The CR number incident? 18      Q. Correct. 19      A. Maybe Jan. 20      Q. When did you send that? 21      A. I don't know the dates. 22      Q. Was it a text or an email? 23      A. She was off work. I am assuming 24 it was a text, I'm assuming.	1       I believe, the whole time. 2       Q. Tell me what you said to him and 3 what he said to you in this conversation? 4       A. He asked me what happened, and I 5 told him, as I explained to you, the same 6 situation. Then it might have been more 7 refreshing exactly the words that were said, 8 and that was it. 9       Q. What do you mean it might have 10 been refreshing, the words that were said? 11      A. Not refreshed. I might have known 12 then more of the exact conversation of 13 Sergeant Mills, words coming from Sergeant 14 Mills. 15      Q. Did you? 16      A. No. It was pretty close to the 17 time, so I believe it's in my statement. 18      Q. If I told you that your statement 19 does not recall any of the words, would that 20 refresh your recollection? 21      A. I don't know. I remember telling 22 him I heard Sergeant Mills, and whatever my 23 statement says is what happened. Like I 24 said, it's a long time ago.
1		MARIBETH REILLY & ASSOCIATES 630.408.2237      Chicago & Suburbs      maribeth.reilly@gmail.com

Page 115	Page 117
<p>1       Q. Did they show you your statement 2 after they took it? 3       A. No, no. 4       Q. Did you tell Sergeant Barz that 5 you didn't know for certain what the 6 electronic device was? 7       A. Yes. 8       Q. Did you tell the officers from IAD 9 that you didn't know if the voice was indeed 10 Sergeant Tom Mills? 11      A. I knew it was Sergeant Mills' 12 voice. 13      Q. So is your statement that you did 14 not tell them that? 15      MS. DAVIS: Objection to form of 16 the question. 17      THE WITNESS: I don't understand. 18      BY MR. TAREN: 19      Q. All I am asking you now is what 20 you recall having told the IAD officers? 21      A. That I heard Sergeant Mills' 22 voice. 23      Q. That you didn't know if the voice 24 was indeed Sergeant Mills?</p>	<p>1       March 29th on this device. Can you tell me 2 what the sense of what he was saying was? 3       Do you have that recollection? 4       A. It was loud. 5       Q. Rather than just the volume, do 6 you have any idea what the topic was that he 7 was speaking about? 8       A. I don't recall at this moment, no. 9       Q. When you had your conversation 10 with Thomas Mills, did he tell you that he 11 had obtained a confidential CR number on 12 Spalding? 13      A. Not that I -- that day? 14      Q. Correct. 15      A. In that room? 16      Q. Yes. 17      A. No, I don't remember. 18      Q. We also had some discussion about 19 your observation -- the television, the 20 first television report about the lawsuit 21 that was filed, which I believe would have 22 been some time in November of 2012. Do you 23 recall that? 24      A. Our conversation just now?</p>
<p>1       MS. DAVIS: Is that a question, 2 counsel? 3       MR. TAREN: Yes. It hasn't been 4 answered yet. 5       THE WITNESS: I don't recall. I 6 don't remember. I remember what I remember 7 now. 8      BY MR. TAREN: 9       Q. Do you recall telling Sergeant 10 Barz or Muscolino that you didn't know if 11 Spalding and Mills were having a telephone 12 conversation? 13      A. I don't remember. I don't recall. 14      Q. Did anyone ask you to provide 15 information to get a search warrant? 16      A. No. 17      MR. TAREN: I'd like to take a 18 five-minute break. We are wrapping up here. 19       (Whereupon, a break was taken 20                   from 12:26 to 12:35 p.m.) 21      BY MR. TAREN: 22      Q. Just a few more. Ms. Dougan, you 23 earlier testified that you didn't recall the 24 words that you heard Thomas Mills say on</p>	<p>1       Q. Yes. 2       A. Yes. 3       Q. So I think that you told me that 4 you just happened to see the news report 5 about the lawsuit on television; is that 6 correct? 7       A. Yes. 8       Q. And did you ever hear Lieutenant 9 Cesario say anything in the unit about Danny 10 and Shannon having filed a lawsuit? 11      A. Not that I recall. 12      Q. And to your recollection, nobody 13 gave you any kind of warning that they were 14 going to be on television that night; is 15 that correct. 16      A. Not that I remember. I just 17 remember seeing it. 18      Q. After you saw it, do you recall 19 having a conversation with Jan Hanna about 20 the broadcast? 21      MS. DAVIS: Objection; asked and 22 answered. 23      THE WITNESS: I probably talked to 24 her, yes.</p>

	Page 119	Page 121
	<p>1 BY MR. TAREN:</p> <p>2 Q. Do you have any recollection of</p> <p>3 what you said to Jan or Jan said to you</p> <p>4 about what you had seen on television?</p> <p>5 A. Just that they were on TV.</p> <p>6 Q. That's it? You don't recall any</p> <p>7 conversation about the lawsuit or the claims</p> <p>8 that were presented on television?</p> <p>9 A. I don't recall a conversation.</p> <p>10 Q. Were people talking about it the</p> <p>11 next day at work?</p> <p>12 A. I don't remember, to tell you the</p> <p>13 truth. I -- work is work.</p> <p>14 Q. So you have no recollection of</p> <p>15 anything that anyone else from Fugitive</p> <p>16 Apprehensions said concerning the broadcast</p> <p>17 of Danny and Shannon's lawsuit in November</p> <p>18 of 2012; is that correct?</p> <p>19 A. I don't recall anything, or what</p> <p>20 if, or what was said.</p> <p>21 Q. You also testified that you saw</p> <p>22 Jan Hanna on television after she gave her</p> <p>23 affidavit; is that correct?</p> <p>24 A. Yes.</p>	<p>1 Dougan was on television --</p> <p>2 A. Not Jan Dougan.</p> <p>3 Q. Excuse me. After Jan Hanna --</p> <p>4 A. Not really.</p> <p>5 Q. -- was on the news about her</p> <p>6 participation or giving an affidavit in this</p> <p>7 case, you had a conversation with her on the</p> <p>8 telephone, correct?</p> <p>9 A. I probably emailed her. I said, I</p> <p>10 hope you and your family are okay. Hope</p> <p>11 you're okay.</p> <p>12 Q. Did you ever have a phone</p> <p>13 conversation with her?</p> <p>14 A. I called her and told her to call</p> <p>15 me.</p> <p>16 Q. Did you have a conversation with</p> <p>17 her on the telephone?</p> <p>18 A. She didn't call me back.</p> <p>19 Q. And in your email to her, did you</p> <p>20 make any mention of anything to do with the</p> <p>21 television broadcast in which her</p> <p>22 participation by way of affidavit or</p> <p>23 knowledge in this case was broadcast?</p> <p>24 A. No.</p>
	<p style="text-align: center;">Page 120</p> <p>1 Q. Did anyone warn you that that was</p> <p>2 going to be on, or did you just happen to</p> <p>3 watch the news and see it?</p> <p>4 A. It was on previews to the news.</p> <p>5 Q. Did someone tell you about it, or</p> <p>6 did you see it yourself?</p> <p>7 A. I saw it myself.</p> <p>8 Q. So nobody called you up and said,</p> <p>9 "Guess what, Jan is going to be on</p> <p>10 television tonight"?</p> <p>11 A. No.</p> <p>12 Q. And after you saw that, did you</p> <p>13 talk with Jan about it?</p> <p>14 A. I might have talked to her and</p> <p>15 said, I hope you and your family are okay.</p> <p>16 Q. Why do you say that?</p> <p>17 A. Because she was on a medical, and</p> <p>18 I know she was going for disability.</p> <p>19 Q. What did that have to do with the</p> <p>20 broadcast?</p> <p>21 A. That was just our normal</p> <p>22 conversations of friendly talk. I didn't</p> <p>23 talk about what was on TV.</p> <p>24 Q. Are you saying that after Jan</p>	<p style="text-align: center;">Page 122</p> <p>1 Q. Did you ever refer to either</p> <p>2 Shannon or Danny as an IAD rat?</p> <p>3 A. No.</p> <p>4 Q. Is it your sworn testimony you</p> <p>5 never heard anyone use those words or words</p> <p>6 to that effect to refer to Shannon or Danny?</p> <p>7 A. Effect was that they were from</p> <p>8 IAD?</p> <p>9 Q. Right.</p> <p>10 A. I personally didn't hear "rat."</p> <p>11 Q. Do you know someone who did?</p> <p>12 A. I don't know, no.</p> <p>13 Q. Well. Did anyone ever tell you</p> <p>14 that they heard someone refer to either</p> <p>15 Danny or Shannon as a rat?</p> <p>16 A. Not that I can recall. That word</p> <p>17 doesn't stick out in my mind.</p> <p>18 Q. Have you ever heard any police</p> <p>19 officer referred to as a rat?</p> <p>20 A. Not that I recall. A rat?</p> <p>21 Q. A rat.</p> <p>22 A. Not that I recall.</p> <p>23 Q. What would your understanding be</p> <p>24 of the meaning of referring to a police</p>

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Page 126

1 Transcription, and the foregoing is a true  
2 and correct transcript of the testimony so  
3 given by said witness as aforesaid.

4 I further certify that the signature  
5 to the foregoing deposition was reserved by  
6 counsel for the respective parties and that  
7 there were present at the deposition the  
8 attorneys hereinbefore mentioned.

9 I further certify that I am not  
10 counsel for nor in any way related to the  
11 parties to this suit, nor am I in any way  
12 interested in the outcome thereof.

13 IN TESTIMONY WHEREOF: I have hereunto  
14 set my hand and affixed my notarial seal  
15 this 8th day of August, 2015.

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21 NOTARY PUBLIC, DU PAGE COUNTY, ILLINOIS

22 C.S.R. No. 084-002306

23

24

# **EXHIBIT D**

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION**

Chicago Police Officer SHANNON SPALDING,	)	
Chicago Police Officer DANIEL ECHEVERRIA,	)	Case No. 12-cv-8777
	)	
Plaintiffs,	)	Judge Gary Feinerman
	)	Magistrate Judge Shelia Finnegan
v.	)	
	)	
CITY OF CHICAGO, <i>et al.</i> ,	)	
	)	
Defendants.	)	

**DECLARATION OF KEVIN CULHANE**

I, Kevin Culhane, declare under penalty of perjury that this statement is true and correct.

1. I have been employed with the Chicago Police Department ("CPD") since 2002.

Since in or about 2007 until now, I have worked in Unit 606, Central Investigations, in Auto Theft.

2. Leads 2000 is a database for law enforcement personnel that is run by the Illinois State Police. Officers use Leads 2000 for tasks such as running license plates or drivers' licenses. Since in or about 2008, I have been a Leads 2000 Delegate. As a Leads 2000 Delegate, I have certain Leads 2000 administrative privileges that allow me to assist any officer in the City with setting up accounts, changing passwords and trouble-shooting system issues. Issues which I cannot resolve, I refer to CPD Leads Administration.

3. I am familiar with Shannon Spalding ("Spalding") and Daniel Echeverria ("Echeverria"). At some point after they were assigned to Unit 606, I recall assisting them with Leads 2000.

4. Accurint is investigative technology that provides access to a comprehensive database of public records. I have never been an administrator of Accurint, nor have I ever had

any administrative privileges to set up Accurint accounts for any officers. I also have never had my own Accurint account.

5. At no point did Robert Cesario ("Cesario") or anyone else at CPD instruct me not to give either Spalding or Echeverria access to Leads 2000 or Accurint. If anyone had made such a statement to me, I would have questioned it.

6. I am familiar with Jan Hanna ("Hanna"). At no point did I tell Hanna that Cesario or anyone else at CPD had instructed me not to give Spalding or Echeverria access to Leads 2000 or Accurint.

  
\_\_\_\_\_  
Kevin Culhane

Executed on March 25, 2016